Volume 14, Number 88
$1.25

FOCUS
MIDWEST

DEMOCRACY & PUBLIC EDUCATION

Hope and change in St. Louis

ALSO:

Chicago: Six Rules For Maintaining A Quality School System

out of focus

Readers are invited to submit items for publication, indicating whether the sender can be identified. Items must be fully documented and not require any comment.

THE HOLY TELEPHONE If you have ever wondered how to become an ordained minister over the telephone (no visit necessary), the "personal" section of the St. Louis Post-Dispatch want ads will tell you. (If you happen to prefer a different robe, the ads will also tell you how to join the KKK.)

COURT MAY CLOSE JAILS Missouri, along with states Nevada and West Virginia, are the only three in the nation which have not developed a uniform set of jail standards. As a result, the state is leaving itself open to lawsuits and/or detrimental legal precedents directed at present jail conditions. The Missouri Association for Social Welfare (MASW), ACLU and the U.S. Justice Department conducted an eleven-county survey of jails this summer and found not one of them to be suitable for long-term prisoners. Already two inmates of the Franklin County jail have filed suit in federal court claiming the prison facilities are inadequate. The suit alleges the 57-year-old jail cells are filthy, overcrowded, unsanitary and plagued by noxious odors. If the inmates are successful in their suit, the court may force the county to close the jail.

From Governmental Affairs Bulletin, University of Missouri

ARMY DRUGS PRIVATE A former U.S. Army private has been awarded $625,000 in a settlement stemming from the infamous LSD experiments conducted by the Army Chemical Corps in the mid-fifties and early sixties. In a controversial private bill, Congress awarded James R. Thornwell the money after Army officials cited "the unconscionable nature of the Army's actions in 1961," when the private was surreptitiously given the drug during an interrogation. Although the experiments were supposed to be limited to non-U.S. subjects, Thornwell was selected after he was suspected of lifting a number of classified documents from a European intelligence center. During the interrogation, after Thornwell had unknowingly ingested the LSD in a glass of water, the Army report notes that his reaction "was the most severe observed by the team members," and further that the subject "stuttered in a voice broken by emotion, threw himself on his knees, cradled his head and wept copiously." Army interrogators evidently told Thornwell he was losing his mind and that he would be committed to an asylum if he did not cooperate. Thornwell admitted taking the documents but said he threw them in a nearby river, a story which was later confirmed. For that reason, several members of the House felt Thornwell should not receive any settlement. The Army discharged Thornwell "under honorable conditions" due to the extreme methods used to interrogate him. No information is available about the use of LSD on "non-U.S." subjects.

From Congressional Quarterly

ARE CIGARETTES RADIOACTIVE? That is what a small group of scientists believe after 16 years of research into the connection between cigarettes and disease. According to the "warm particle theory," insoluble low-level alpha-emitting radioactive particles in cigarette smoke trigger the majority of diseases associated with smoking. Tobacco, like everything else, contains trace levels of radioactivity, most of it, soluble in water. However, some radioactive particles in tobacco are insoluble; they accumulate and bombard delicate lung tissue with the same kind of radiation emitted by plutonium.

FLOODING HISTORY The issue of preserving historic archaeological sites recently came to public attention with the controversy over the Tellico Dam in Tennessee. About 300 archaeological sites soon will be under water. The irony is that most dams like Tellico are servicable for at most 100 years; beyond that, problems of silt and erosion put them out of commission. "But by then, thousands of years of our history will be damaged beyond recovery," said anthropologist William Fitzhugh.

FOI LIMITS? Intelligence allies in the 97th Congress are expected to attempt to exempt the CIA and other intelligence agencies from the Freedom of Information Act. The measures will be designed also to punish several CIA critics who have publicly identified undercover agents.

From Congressional Quarterly

The cover is by Leroy Neiman.

FOCUS
MIDWEST

FOCUS (ISSN: 0015-508X) Volume 14, Number 88. Second class postage paid at St. Louis, Mo. Published bimonthly by FOCUS/Midwest Publishing Co., Inc. Subscription rates: $8/6 issues (one year); $14/12 issues (two years); $19.50/18 issues (three years); $29/30 issues (five years); $100 lifetime. Foreign $4.50 per year extra. All back issues are available. Allow one month for address changes. Advertising rates upon request. Enclose stamped, self-addressed envelope with manuscript. September 1980. Please mail subscriptions, manuscripts, and Post Office Form 3579 to FOCUS/Midwest, 928a N. McKnight, St. Louis, Mo. 63132.

FOCUS/Midwest is indexed by the Public Affairs Information Service, Inc. (PAIS), the American Bibliographical Center, the Annual Bibliography of English Language and Literature (Leeds, England), and the Index of American Periodical Verse, and abstracted and indexed in Historical Abstracts and America: History and Life.

Editor and Publisher/Charles L. Klotzer

Assistant Editor/Steve Means

Poetry Editor/Dan Jaffe

Art Director/Daniel Pearlmutter

Production/Deborah Bedel, Terry Fick, Elizabeth Mueller, Irene Westbrook

Editor of "Research/Conclusions" by the Institute of Social and Behavioral Pathology/ Lawrence Freedman

EDITORIAL CONTRIBUTORS

(Editorial Contributors are not responsible for the editorial policy of FOCUS/Midwest.) Irving Achtenberg, Douglas B. Anderson, Irl B. Baris, Eugene L. Baum, Lucille H. Bluford, H. T. Blumenthal, Leo Bohanon, Eugene Buder, David B. Carpenter, David L. Colton, Leon M. Despres, Pierre de Vise, Irving Dilliard, Russell C. Doll, James L. C. Ford, Jules B. Gerard, Elmer Gertz, David M. Grant, Leonard Hall, Harold Hartogensis, Robert J. Havighurst, Jack A. Kirkland, Herman Kogan, William B. Lloyd, Jr., Curtis D. MacDougall, J. Norman McDonough, Ralph Mansfield, Martin E. Marty, Abner J. Mikva, Florence Moog, Harry T. Moore, Constance Osgood, Alexander Polikoff, James D. H. Reefer, Don Rose, Anthony Scariano, Sherwin A. Swartz, John M. Swomley, Jr., Tyler Thompson.

letters

¡Sorry!

F/M: Terrible error in issue no. 87.

You have joined the ranks of the myriads of publishers who have printed Chinese characters upside down. See p. 29, which incidentally means "to recite" (nién).

Whoever got these ancient Chinese seals together for your "Emerging Writers in the Midwest" issue will be surprised to know that they actually do mean something. They are very old—3000 plus years. Especially the one on p. 36

 making an offering

to the mountains  with deer

under the eyes of the ancestors (or with sheep?)

Carl Masthay
St. Louis, Mo.

Editor's Note: The designs are reproductions of woodcuts by Michael Corr which were based on ancient Chinese and Indian motifs. We are delighted to have such literate readers.

Old friends

F/M: Your recent issue on Midwestern writers was wonderful—many old friends among the pages.

Susan E. Abrams
Chicago, Illinois

Justice for women

F/M: Aspirants for important governmental positions and many present office holders are assuring voters "Women have equal rights, and our constitution assures them of this fact." Blacks were told that they were first class citizens for years. It took the Civil Rights Act to clarify "all men are created equal . . . entitled to life, liberty."

Note the following statistics:

	Women	Men
U.S. Population	51.3%	48.7%
U.S. Senators	1.0%	99.0%
U.S. Representatives	4.0%	96.0%
Governors	4.0%	96.0%
State Senators	5.0%	95.0%
State Representatives	11.0%	89.0%
County Officials	5.0%	95.0%
Mayors & Councilors	9.0%	91.0%

The media constantly remind us of those evil Russian Communists. We are forced to give the devil his due by recognizing that 32.5% of all Soviet governmental officials are women. 487 women are Deputies in Russia.

One should read court records or observe court trials, and note the arrests, fines, and imprisonment of prostitutes in our cities. If the co-offenders were arrested, fined and imprisoned, the men would storm the courts and legislative branches to change the laws within days. Surely no one is so naive about injustices. Too many women are blind to the inequities in our society.

Iran, Iraq, North Vietnam, and Russia hold no monopoly on evil and violations of human rights.

Celia Ann Williams
Springfield, Missouri

List of cancer-causing agents available

F/M: For the first time, a complete list of all known human and animal carcinogens is available to the general public. Information such as this is often scattered in various places. It often requires hours of research just to find out if one particular chemical can cause cancer.

This list is invaluable both to health specialists and to the general public. This list can be obtained free of charge by sending a long self-addressed, stamped envelope to: Carcinogen Information Program, Campus Box 1126, Washington University, St. Louis, Missouri 63130.

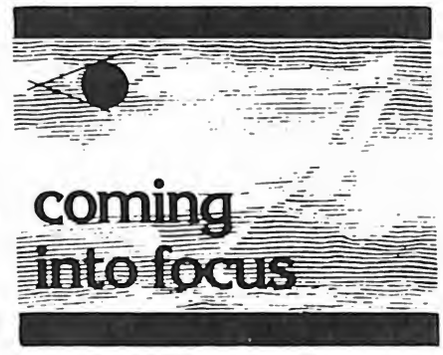
Karlene McAllister
Center for the Biology of Natural Systems
Washington University

MoPIRG offers credit booklet

F/M: An eight-page pamphlet entitled, "Giving Credit Where Credit Is Due —A Citizen's Guide to the Equal Credit Opportunity Act," written by the Consumer Federation of America and edited by the members of the MoPIRG staff, is available by sending 40¢ to: MoPIRG Foundation, P.O. Box 8276, St. Louis, MO 63156.

The citizen's guide explains what information a creditor may consider in judging creditworthiness, when a creditor can request information concerning a spouse, how both spouses can establish an individual credit history through joint accounts, and how to protect your rights under the law.

Tom Ryan
Missouri Public Interest Research Group
St. Louis, Missouri



SAFE DRUGS The U.S. Department of Health and Human Services recently published a list of more than 5,000 prescription drug products that have been approved by the Food and Drug Administration as being safe and effective, along with the names of the manufacturers licensed to market them. The list also provides information on which products, when available from more than one manufacturer, are therapeutically equivalent. Information regarding list subscription and periodic supplements is available from the U.S. Government Printing Office, Washington D.C. 20402.

FOOD HOTLINE The U.S. Agriculture Department's Food Safety and Quality Services announced it has set up a "consumer response system" so that questions from the public about meat and poultry products can be answered more quickly and efficiently. Questions should be directed to (202) 472-4485.

PROPOSE ANTIBIOTIC BAN The FDA has proposed a ban on the use of penicillin and certain uses of tetracycline in animal feeds. The action came after several studies indicated that subtherapeutic use of the antibiotics in animal feed could pose serious health threats to humans needing antibiotic treatment. Evidence shows the practice might lead to the production of superbacteria which have developed immunity to antibiotic treatment. Farmers expressed worry about the FDA action since the use of the drugs yields healthier livestock, improves growth and maintains lower costs and food prices.

The future of public education in St. Louis

The St. Louis Board of Education deserves a commendation for filing a petition calling for a metropolitan desegregation plan. At last, the problem of racial isolation in the metro area can be directly addressed.

In its petition to U.S. District Judge William L. Hungate, the board cites "a combination of residential segregation, racially segregated schools and inter-district transfers" which led to the present dual metropolitan school system, one essentially black, the other white.

The board observed that voluntary efforts are offering few, if any, substantive solutions. For more than seven months, city, county and state officials have procrastinated. The state plan that was eventually filed, prompted U.S. Justice officials to say it was deficient in financing, timetables and specific objectives, among others.

Judge James Meredith, who is now off the case due to health reasons, found the plan inadequate and ordered a revised plan to be submitted by Feb. 2. Not only did the state fail to submit any plan, inviting a contempt of court citation, but it blamed the St. Louis school board and the NAACP (who joined in the board petition on Jan. 16) for sinking any chances for a cooperative effort. This distorted reasoning confirms suspicions that both state and county officials are not sincere in their desegregation efforts.

The crux of the issue is not busing, but racial integration. Of all the children bused in this country, only 3.6 percent are bused for the purpose of racial integration. Ostensibly, busing only becomes a heated issue when race is involved. Evidence shows that school districts were drawn in the metro area actually to exclude or contain blacks, while white children were *bused away* from areas where natural integration would have occurred.

Proponents of "neighborhood schools" suffer from the same euphemistic line of reasoning. Specifically, while they pretend to define neighborhoods geographically, they really define them racially.

It is this mentality that has also contributed to residential segregation. Residential segregation, as the city board points out, has significantly contributed to school segregation. Obviously, we cannot eradicate residential segregation overnight, but we must, for the sake of our children, black and white, attack school segregation directly for the time being.

Even so, voluntary efforts should still be encouraged since the legal process surrounding the board petition may drag on for years. Such planning could help to effect a smooth transition into an era of coordinated desegregation and provide local school districts with a chance to prove that their intentions are sincere. The acceptance of, and racial harmony provided by, a voluntary metro-wide plan would be far more positive. But token voluntarism in lieu of a bona fide court-ordered solution is not acceptable.

The importance of the board petition is that it proposes a metropolitan remedy, not a piecemeal solution that would be at the mercy of racially motivated municipal lobbying. One should not forget that both municipal officials and St. Louis civic leaders not only ignored but even contributed to segregation. A metropolitan-wide court decision will override local influence and would also deal with the so-called "white flight" problem.

At a time when civil rights legislation is gradually being eroded by neo-conservative elements at federal and state levels, we must unabashedly support the principles which guarantee all Americans an equal chance in life that a quality education can provide. After all, the Fourteenth Amendment guarantees *every* American "equal protection under the law."

Whites and blacks alike, have nothing to lose but their prejudices.

Can we afford to lose Clay?

In the wake of preliminary 1980 census figures, the spectre of legislative redistricting returns to haunt many state and national lawmakers. Not surprisingly, Missouri will lose a seat in Congress due to nationwide population shifts.

If Missouri legislative behavior in the past is any indication of what can be expected in the eighties, political bloodletting will be fierce indeed.

This year's struggle will involve extensive redistricting in the city of St. Louis, primarily because it lost more than 28 percent of its population over the past decade and will be forced to relinquish seven of its 22 seats in the state house and two of its five seats in the state senate.

Moreover, Missouri faces the loss of a congressional seat. Primarily threatened is Democratic Rep. William Clay's seat, which would be diluted by the annexation

of a large portion of the predominantly white, lower- and middle-class suburbs in south St. Louis.

Missouri politicians, both Democrats and Republicans, must be on guard not to silence the only black representative Missouri has in its congressional delegation. Particularly, Democrats should realize that black voters have traditionally voted overwhelmingly for the Democratic ticket, more than any other population group.

If, nevertheless, U.S. Rep. Clay is redistricted out, Missouri will have deprived itself not only of an authentic liberal voice but will also have deprived the black community of its principal means to exert political influence, both at the national and state level.

In our view, Missouri can ill afford such shortsightedness.

Six Flags on probation

It is ironic that the wholesome, peculiarly American form of entertainment served up by the Six Flags over Mid-America amusement park, must be bolstered by debasing our only native American culture.

In its drive to present a clever blend of commercialism with a bastardization of American history, the park stereotypes Indians and insults the intelligence of its visitors.

This practice has not gone unnoticed. For the past three years, the St. Louis Indian Pow Wow Committee and Action Against Apathy have worked to free Six Flags of these demeaning practices. Fortunately, there has been some measure of success:

"Injun Joe's Cave" ride was discontinued and the "Sweet Sioux" sign outside the candy store was replaced with one reading "Sweet Sue."

Unfortunately, cooperation by management has been only partial. The "Sweet Sioux" sign was simply moved inside the store and "tour guides" on the "Mississippi Adventure" ride continued to pepper their monologues with jokes and puns that are meant to entertain at the expense of native Americans. Assurances were made 18 months ago by Six Flags' management that this practice would be discontinued, but no such change was noticed over the past season.

After robbing native Americans of most of their land and material possessions, must we today rob them of their cultural heritage as well?

While some of the above offenses seem minor, they are symptomatic of an insensitivity which can hurt as much as physical deprivation. In spite of these reservations, we still consider the park an asset to this region. But unless these practices are totally abandoned, fair-minded residents should consider additional steps.

Preschool education works

The word is out: Preschool education has a big payoff. It pays off for children in higher academic performance, lower delinquency rates, better earning prospects, and for society in *dollars* and *cents*.

After 18 years of exhaustive research into the lifetime impact of preschool education, the High/Scope Foundation offers the strongest evidence to date that shows children who attended a quality preschool, on the average, significantly outperformed those who had not.

The study, scheduled for completion in 1990, presents complete evidence until the age of 15 years and follows the lives of 123 disadvantaged children from preschool to the present. Among the major highlights of the study:

- Children who had attended preschool scored higher on reading, arithmetic, and language achievement tests at all grade levels than children who had not.
- By the end of a student's schooling, only 19 percent of the children who had attended preschool had been placed in special education classes, compared to 39 percent of those who had not, which constitutes a 50 percent reduction in the need for such services.
- Children who attended preschool showed less tendency—40 percent less—to display antisocial or delinquent behavior in or outside of school compared to non-preschoolers.
- Children who attended preschool were more likely to hold jobs after school.

Although the study is incomplete, early indications are that children who had attended preschool will show a higher high school completion rate, a greater likelihood of attending college, less tendency to use welfare, higher employment and lower arrest rates than those who had not.

The package even has something for budget-minded legislators. According to the study, the long-term benefits of preschool outweigh the costs. A public school that invests approximately $3,000 for one year of preschool per child, begins to recoup its investment immediately in savings on special education and other

continued on page 25

New legislators: Right of center

With a conservative high tide at the national level, solid Republican gains were the rule following the November elections; similar gains were also expected at the state level. Surprisingly though, only modest Republican gains materialized and were actually overshadowed by the '78 elections, which took place without the benefit of a Reagan landslide.

Of the 5900 seats contested in the latest election, the GOP picked up slightly more than 200, giving it 39 percent of the country's legislative seats. The party also gained control of five legislative chambers, but lost control in Alaska. The lower houses of Illinois, Montana and Washington went Republican as did the upper houses of Ohio and Pennsylvania.

Four governorships changed hands in favor of Republicans in the states of Arkansas, Missouri, North Dakota and Washington.

In Missouri, Republicans picked up six additional seats in the lower house as opposed to the Democratic capture of one seat in the upper house. Democrats still enjoy hefty leads over Republicans in both houses, but took it on the chin with the return of Republican Christopher S. Bond in the statehouse.

In Illinois, Republicans seized control of the lower house after securing three more seats. GOP gains in the upper house amounted to two additional seats but still left Democrats in control with a very slim edge.

With the presidency of the Illinois Senate in dispute following the GOP coup, Illinois politics is back at its chaotic best. At this writing, it has yet to be decided which party will run the senate or whether the '81 session will turn into a do-nothing confrontation.

Following are profiles of the new national legislators:

Wendell Bailey (R., 8th District)

Born in 1940, Bailey resides in Willow Springs, Missouri, where he has spent most of his life as an automobile salesman and rural legislator. Educated at Southwest Missouri State University, Bailey's political past is characterized by his "open government" brand of advocacy in which his votes are cast with a close eye on the preferences of his constituency.

Elected chairman of the House Republican Caucus in 1974, he pushed to have its meetings opened to the public. His office published an information booklet on lobbyists in the state capitol to aid legislators and the press.

Bailey initially supported the Equal Rights Amendment, but shifted to the other side in deference to local opinion. In his congressional campaign, Bailey referred to the Salt II treaty as "a delusion and a sham" and called for a halt to "social engineering" by the Occupational Safety and Health Administration and the Environmental Protection Agency.

Bailey's conservative stands and small-town background won him votes among rural Democrats who faithfully supported Democratic Rep. Richard Ichord for 20 years until he retired in 1980.

Bill Emerson (R., 10th District)

Educated at Westminster College and the University of Baltimore, Emerson now lives in De Soto, Missouri. Born in 1938, his lack of formal campaign experience masks years in the background of politics. He first came to Washington in 1953 and has spent nearly all of his adult life working as a congressional aide or lobbyist.

Emerson was a page in the 83rd and 84th Congresses, returned home to attend college, and six years later was back, working as a special assistant to Kansas Rep. Bob Ellsworth and later for Charles McC. Mathias Jr., then a U.S. House member from Maryland and now the state's senior senator.

In the seventies, Emerson was a lobbyist and consultant for defense and energy-related private companies. He moved back to Missouri only when he began preparing his campaign against Democratic Rep. Bill Burlison.

Given his district's solid Democratic character, Emerson is not likely to be a loudly partisan Republican in the House. He did not trumpet his party affiliation during the campaign, stressing conservative themes and exploiting the weakness of the incumbent, who suffered from the liabilities of President Carter's record and was opposed by several of the district's

continued on page 8

conservative newspapers.

Emerson opposes busing to achieve racial balance in schools, especially since his district includes the southern suburbs of St. Louis, where busing is a sensitive issue.

illinois politics

Alan J. Dixon (D.)

Born in 1927, Dixon makes his home in his birthplace of Belleville, Illinois. He was educated at the University of Illinois and later completed a law degree from Washington University in St. Louis. The new senator succeeds to the seat held by Democratic Sen. Adlai E. Stevenson III, who retired.

After thirty years as a state legislator, state treasurer or secretary of state, Dixon finally moves into the broader national realm he has coveted but patiently waited to seek.

Although Dixon has been in politics longer than any other freshman senator, and most senior ones as well, he found himself unfamiliar with the major national and international issues at the beginning of his senate campaign, which was a potential liability. But by studying the issues, holding press conferences and agreeing to debate his opponent, Dixon reestablished himself and won a clear Illinois voter mandate by a margin exceeding a half million votes.

His history indicates that he is a hard-working legislator but a quiet one, unlikely to become involved in controversial issues. During his term as secretary of state, he focused on relatively innocuous technical reforms, such as extending the life span of license plates to five years and requiring photos on driver's licenses.

Throughout his political career, Dixon has stayed on good terms with the party organization, without becoming a creature of it. This mixture of cooperation and independence earned him the support of a wide spectrum of voters and made him few enemies. When bitter fighting flared in the Chicago Democratic organization between Mayor Jane Byrne and Richard M. Daley, candidate for state's attorney, Dixon remained tactfully detached and was later supported by both in his senate candidacy.

Harold Washington

(D., 1st District)

A graduate of the Northwestern University School of Law, Washington was born in 1922 and resides in Chicago where he gained control of the 1st district after defeating Democratic incumbent Bennett Stewart in the primary.

Washington is the first congressman from this district in nearly 50 years who did not owe his initial election to the South Side's regular Democratic organization. The machine suffered a telling defeat in 1976 when Rep. Ralph Metcalfe, elected as a party loyalist, turned against it on police brutality charges and survived anyway. When Metcalfe died a few weeks before the 1978 election, the regulars reclaimed the seat with Bennett Stewart, a veteran Chicago alderman who was condemned by the press as a party hack. In that election, Stewart barely held his seat, almost losing to a Republican in one of the nation's most Democratic districts.

By 1980, Washington defeated Stewart easily. Most of the machine stuck with the incumbent, but dissension in party ranks plus a separate campaign by Metcalfe's son siphoned off much of the traditional vote. Washington banked on his reputation as an independent member of the Illinois House, and on the publicity he drew as a candidate for Mayor in 1977 when he managed to carry five of the city's black wards.

As an anti-machine Democrat of long standing, Washington ran up his biggest primary margins in the district's small but politically active white community, which is liberal and centered around the University of Chicago. Like his predecessors from the district, Washington is in line with the prevailing view of the Congressional Black Caucus, but unlike Stewart, he will not be an automatic ally for the leader of the Chicago House delegation, Dan Rostenkowski.

Gus Savage (D., 2nd District)

Born in 1925, Savage succeeds the retired Democratic Rep. Morgan F. Murphy. Educated at Roosevelt University, Savage gained widespread attention as a newspaper publisher and a gadfly of south side Chicago politics.

For thirty years, Savage has been agitating against the Democratic machine in the name of various liberal and progressive causes. In 1950, he was organizer for the short-lived Progressive Party and managed the campaign of its congressional candidate in the 1st district.

Through the community newspapers he published on the south side, Savage remained visible in political and community organizing. In 1958, he was co-founder of the Chicago League of Negro Voters. In 1969, he fought successfully to establish the right of parents to participate in the selection of school principals.

Savage ran for the House twice, losing the second campaign to Morgan Murphy. In 1977, he managed the mayoral campaign of state Sen.

Harold Washington, who ran in the special Democratic primary to succeed the late Mayor Richard Daley.

With the announced retirement of Murphy in 1980, three blacks and one white entered the Democratic primary to replace him. Savage got 45 percent of the vote in defeating the organization-backed black candidate. He becomes the first black to represent the district.

Lynn Martin (R., 16th District)

Earning a bachelor's degree from the University of Illinois in 1960, Martin resides in Rockford, Ill., and was a teacher before entering public office. She succeeds Rep. John Anderson who ran unsuccessfully for president in 1980.

Martin has risen quickly in her eight-year political career, moving without interruption from the Winnebago county board to the state house, the state senate and Congress.

The congressional opportunity opened up when Anderson announced his candidacy for the White House. She, along with five other Republicans, entered the race to succeed him. Already well-known in the Rockford area, Martin's personal appeal gave her almost 50 percent of the votes cast.

She is conservative on most issues, but supports ratification of the Equal Rights Amendment. She has supported the opening of a nuclear power plant in her area, taking a position similar to Anderson's longtime advocacy of nuclear energy.

While in the legislature, Martin fought for tax reduction and was instrumental in the passage of legislation to limit state spending. ■

STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION. 1. Title of Publication: FOCUS. (US ISSN 001508x) 2. Date of Filing: Dec. 1980. 3. Frequency of Issue: 6 times per year, bi-monthly. A. No. of issues published annually: six; B. Annual subscription price: $8.00. 4. Location of known office of publication: 928a N. McKnight Rd., St. Louis, Missouri 63132. 5. Location of the headquarters or general business offices of the publishers: Same. 6. Names and complete address of publisher, editor, and managing editor: Charles L. Klotzer, 884 Berick Drive, St. Louis, Missouri 63132. Editor: Same. Managing editor: Same. 7. Owner: Joseph P. Antonow, Chicago, Ill.; William P. Bartholomew, Kansas City, Mo.; Robert L. Brody, Chicago, Ill.; Eugene Buder, St. Louis, Mo.; Dr. Anthony K. Busch, St. Louis, Mo.; Mrs. Edwin E. Clarkson, Kansas City, Mo.; Dr. William M. Danforth, St. Louis, Mo.; Edmund K. Eichengreen, Chicago, Ill.; Eliel & Loeb, Chicago, Ill.; Herman M. Harris, Chicago, Ill.; J.H. Herz, Winnetka, Ill.; Mrs. Marcus A. Hirschl, Pasadena, Calif.; Lawrence Kassakoff, Chicago, Ill.; Samuel N. Katzin, Chicago, Ill.; Charles L. and Rose F. Klotzer, St. Louis, Mo.; Phillip M. Klutznick, Chicago, Ill.; Robert Lifton, Chicago, Ill.; John F. Meyers, Cedar Vale, Ks.; Robert F. Picken, Chicago, Ill.; Dr. Don L. Thurston, St. Louis, Mo.; Morton Weinress, Chicago, Ill.; James Zartman, Chicago, Ill. 8. Known bondholders, mortgagees, and other security holders owning or holding 1 percent or more of total amount of bonds, mortgages or other securities: None. 10. Extent and nature of circulation. A. Total no. copies printed (Net Press Run): Average no. copies each issue during preceding 12 months: 4800. Actual no. copies of single issue published nearest to filing date: 4000. B. Paid Circulation. 1. Sales through dealers and carriers, street vendors and counter sales: Average no. copies each issue during preceding 12 months: 2668. Actual no. copies of single issue published nearest to filing date: 1902. 2. Mail Subscriptions: Average no. copies each issue during preceding 12 months: 1096. Actual no. copies of single issue published nearest to filing date: 1070. C. Total paid circulation (Sum of 10B1 and 10B2): Average no. copies each issue during preceding 12 months: 3764. Actual no. copies of single issue published nearest to filing date: 2972. D. Free distribution by mail, carrier or other means samples, complimentary, and other free copies: Average no. copies each issue during preceding 12 months: 350. Actual no. copies of single issue published nearest to filing date: 350. E. Total distribution (Sum of C and D): Average no. copies each issue during preceding 12 months: 4114. Actual no. copies of single issue published nearest to filing date: 3322. F. Copies not distributed. 1. Office use, left over, unaccounted, spoiled after printing: Average no. copies each issue during preceding 12 months: 174. Actual no. copies of single issue published nearest to filing date: 503. 2. Returns from news agents: Average no. copies each issue during preceding 12 months: 512. Actual no. copies of single issue published nearest to filing date: 170. G. Total (Sum of E, F1 and 2—should equal net press run shown in A): Average no. copies each issue during preceding 12 months: 4800. Actual no. copies of single issue published nearest to filing date: 4000. 11 I certify that the statements made by me above are correct and complete: Charles L. Klotzer.

DEMOCRACY & PUBLIC EDUCATION

Hope and change in St. Louis

By David L. Colton with Miriam Raskin

More than twenty-five years after *Brown v. Board of Education* tens of thousands of public schoolchildren still attend racially isolated schools in the city of St. Louis and its suburbs. The situation is particularly poignant in the city where the courts have found that racial isolation is a result of discriminatory and unconstitutional actions by state and local officials. U.S. District Court Judge James Meredith has ordered these officials to consider both voluntary and mandatory metropolitan approaches to reduce racial isolation in schools. But to date officials have not come up with a plan which is legally adequate, pedagogically sound, and politically viable. Part of the problem is that planning efforts have taken place without public participation. To help alleviate the information gap the Center for the Study of Law in Education at Washington University has prepared reports on metropolitan desegregation planning. These studies (*) are presented here in the hope that readers, armed with facts, can more effectively participate in discussions aimed at devising educational policies which redeem and protect constitutional rights in the schools.

(*)Readers interested in additional studies should contact the Center for the Study of Law in Education at Washington University, St. Louis, MO 63130.

Court finds St. Louis schools are segregated

Court-ordered desegregation came to the St. Louis Public Schools in 1980, eight years after suit was first filed on behalf of Craton Liddell and others.

That suit charged the Board of Education with denial of equal educational opportunities to Liddell and thousands of other black students. Although the city had responded to the 1954 *Brown* decision by rescinding regulations that required segregated schools, St. Louis schools were still heavily segregated in 1972 when Liddell went to court.

The plaintiffs alleged that the continuing racial isolation was not an accident but the direct result of unlawful official actions.

The School Board did not deny that segregation existed in the schools. It contended, however, that responsibility for that segregation rested outside the school system. In the hope of avoiding the protracted litigation in which other urban school boards were enmeshed, attorneys for Liddell and the Board formulated a Consent Decree late in 1975.

The Board admitted no guilt, but agreed to take the following affirmative actions: to progressively desegregate its faculty; to consider desegregation when deciding to build or close schools; to study realignment of feeder school patterns to reduce high school segregation; and, to report on usefulness of projected magnet schools and systemwide curriculum improvement.

As the Board took steps toward fulfilling the agreement, dissatisfaction grew among groups that felt too much or too little in the way of desegregation had been agreed upon. Eventually the participants in the legal action expanded to include the NAACP, the State of Missouri, the United States, the City of St. Louis, a group of citizens supporting neighborhood schools, and others.

As the case grew in complexity by the addition of new parties, Judge James Meredith concluded that he could not proceed toward a solution to the problem of racial segregation in the schools without a hearing to determine whether a constitutional violation had occurred.

Judge James Meredith

In an unusual strategy aimed at conserving time, the 1977–78 hearing dealt simultaneously with the two questions of liability and remedy. That is, the court was asking whether a constitutional violation had been committed, and, if it had, what the best way would be to eradicate the resulting segregation.

It is difficult to do more than suggest the positions taken in this lengthy hearing by the 39 witnesses who testified during the five separate sessions (totaling 13 weeks in court). Testimony given on behalf of the original plaintiffs, the NAACP and the Department of Justice, generally described the changes in school attendance areas that maintained the separation of the races as residential patterns changed. It further indicated that student busing was done to relieve overcrowded conditions, not to decrease racial segregation.

In fact, when necessary to transport black students to white schools, it was accomplished by "intact busing," i.e., whole classes of black students were bused to a white school where they maintained their own schedules, were taught intact and were not integrated into the procedures of the receiving schools.

Gary Orfield, associate professor of political science, University of Illinois, described, as a witness for the government, remedies appropriate to the St. Louis situation. He stated that a significant degree of integration could be achieved in the city; he also advocated the use of metropolitan approaches such as state-financed interdistrict voluntary transfer and magnet school programs.

The defense of the Board rested largely on testimony that racial segregation in the schools resulted primarily from demographic trends. The movement of whites from the city to the suburbs, leaving a concentration of blacks in the core city, was a pattern reinforced by governmental policies and one that school board policies could not deflect. So testified George Wendel, director for Urban Programs at St. Louis University.

In terms of remedy, Wendel advocated a metropolitan approach. He warned that reliance on city-wide racial quotas alone would tend to de-

Summary

- A suit was filed in 1972 alleging that the St. Louis Public Schools had perpetuated racial segregation and deprived black students of their constitutional rights to equal protection.
- After a lengthy trial, Judge Meredith decided that no constitutional violations had been committed to create the segregation that did exist in the schools.
- On appeal, the 8th Circuit Court of Appeals reversed, holding that constitutional violations had been committed. Judge Meredith later ordered the implementation of the desegregation plan that is now in effect, a plan that leaves more than 30,000 black students in all or predominantly black schools. The court continues to strive for a plan that meets the objective set by the Court of Appeals: effective integration of the entire St. Louis school system.

stabilize neighborhoods and lead to "white flight"—the departure of white families from a desegregating school system.

Long-time Board member and former president Daniel Schlafly testified that the Board had done the best that it could within its limited resources to provide the best schools possible. It had been powerless against demographic change; racial composition of the school population shifted from a 65% white majority in 1955 to a 72% black majority in 1977–78.

The decisions and appeal

The lengthy presentation of testimony and the introduction of 1200 exhibits to the court ended in May 1978. Judge Meredith heard final arguments in February 1979.

In April, he announced his decision: the Board of Education had committed no constitutional violation. The Board had fulfilled its obligation to create a unitary school system in 1955–56 by the adoption of the neighborhood school policy but the system had undergone resegregation as the result of demographic shifts which were not under its control (although they were influenced by the policies of the federal government and others). The Board was, however, obligated to carry out its agreement under the Consent Decree.

In March, 1980, the 8th Circuit Court of Appeals reversed the decision of the District Court. A 53-page opinion explained the reversal. The Court of Appeals said that the District Court had erred when it found that the School Board had effectively desegregated the school system in 1954–56 by adopting and implementing its neighborhood school plan. In fact, said the opinion, that plan had a negligible effect on the dual school system; most of the students continued to attend racially isolated schools.

The court took note of actions by the Board to reduce racial tension but added that "these steps did not fulfill the defendants' constitutional duty to disestablish the dual system. Indeed, it appears from the record that, in the interest of avoiding conflict, the Board took steps to ensure that no significant desegregation occurred."

Perhaps, said the court, the neighborhood plan would have helped if the neighborhoods had not been rigidly defined so as to ensure uniracial schools. But the policies adopted by the Board after *Brown* were designed to "relocate the smallest possible number of pupils" and to have "the least possible impact on the segregated personnel assignments."

Pointing to a Supreme Court pronouncement that segregative intent may be inferred from a policy whose effects can be predicted to include racial imbalance, the court declared that the results of the Board's policies were foreseeable and inevitable: the black schools stayed black and the white schools stayed white, with few exceptions.

Furthermore, the court held that policies implemented since 1956 preserved segregation in the school system. Examples: "intact busing," over protests of black parents, until 1964; "block busing" whereby students from certain blocks in overcrowded areas were bused to other attendance zones; permissive transfers, allowing affluent students to leave integrated schools; faculty and staff segregation.

The Board had simply never dealt with the problem posed by continuing racial isolation, the court maintained. If it had, the case would be different. Since it did not, the court had "no choice but to adopt a practical remedy to achieve an integrated school system."

The task of choosing the appropriate remedy was returned to the District Court with certain instructions. The Board of Education was to have primary responsibility for developing a plan that promised to give black students "substantially equal opportunity to attend integrated schools during the years they attend the public schools."

Judge Meredith: Order of the Court, May 21, 1980

The Board of Education, having decided not to appeal the decision, soon submitted a new proposal to the court. The plan was to put 26,300 of the city's 63,000 students into integrated schools (schools with a black enrollment of 30–50%). Because there are not enough white students in the system to create that racial mix at every school, the plan left two-thirds of the city's black students in all black or predominantly black schools.

In May, Judge Meredith accepted the plan and ordered its implementation. The Board of Education was ordered to continue its studies of feasible means to improve the quality of education throughout the system.

The defendant State of Missouri was ordered to fund one-half of the cost of the desegregation plan to a maximum of $11,076,206 (one-half of the total approved budget for the plan). The Board, the State and the United States were ordered to develop plans for interdistrict means to supplement the city-only desegregation measures.

Metropolitan aspects of the court order

Like it or not, the suburbs are involved

Many people were surprised by the appearance, in mid-1980, of District Court Orders which pointed toward the involvement of suburban districts in the desegregation case which previously had been limited to the St. Louis City school district.

The national context

During the 1960s and '70s metropolitan approaches to school problems received increasing attention. A principal impetus was demographic: suburbanization was producing central city school systems serving disproportionate numbers of poor and minority students, while suburbs were dominated by middle class and white families.

As early as 1961, James Bryant Conant, in *Slums and Suburbs*, warned of the pedagogical and social problems accompanying the growing gulf between cities and their suburbs. Violence in urban ghettoes in the late 1960s brought new warnings of the dangers of a dual society. In the 1970s, there was an additional problem with metropolitan implications: segregation. As one large city after another was found guilty of illegal discrimination in schooling, metropolitan remedies were frequently pro-

posed—partly in order to encompass enough white students to make desegregation meaningful, and partly to inhibit white flight so that desegregation would be stable.

In the 1974 *Milliken v. Bradley* decision, the Supreme Court held that interdistrict remedies could not be ordered in the absence of findings of interdistrict violations. Despite *Milliken*, advocates of desegregation still felt that voluntary interdistrict plans were desirable. Moreover in communities such as Wilmington and Indianapolis the *Milliken* standard was met, thus permitting interdistrict desegregation orders. By the late 1970s metropolitan desegregation approaches were being urged by groups such as the U.S. Commission on Civil Rights.

Opposition to metropolitan desegregation also developed in the 1970s. Metropolitan plans were seen as threats to the tradition of local control in education. They raised the spectre of mammoth area-wide educational bureaucracies. Ambiguous evidence about the academic effectiveness of desegregation prompted questions about the wisdom of spending funds for long bus rides, particularly in an era of sharply-rising fuel prices. Some minority group spokespersons opposed metropolitanism because it diluted the foundations of minority political power in cities. It would be better, many said, to invest resources in improving urban education rather than engaging in mandatory and unpopular student reassignment schemes.

Proceedings in district court

The St. Louis desegregation case initially appeared to involve just St. Louis city parents and the city School Board.

However in 1973, Board attorneys sought to have 21 suburban districts named as co-defendants in the case, claiming that their participation would be essential to the development of a viable remedy plan, should one become necessary. U.S. District Court Judge Meredith denied the Board's request. Again in 1977, in its report on ways of reducing racial isolation in the city's high schools, the Board broached the subject of a metropolitan approach. "The conclusion is compelling," said the Board, "that only a metropolitan plan . . . will provide the opportunity to achieve the necessary viability and stability . . ."

The theme was reiterated during court hearings held in 1977-78. One of the Board's witnesses, George Wendel of St. Louis University's Center for Urban Programs, warned that reliance upon city-only remedial plans could prompt white flight and thus lead to resegregation. Former Mayor John Poelker also suggested that a city-only plan would not work. The U.S., a plaintiff in the case, introduced testimony by Prof. Gary Orfield of the University of Illinois political science department, who stated that voluntary metropolitan desegregation techniques could be initiated by the state defendants even in the absence of a court finding of an inter-district constitutional violation.

When Judge Meredith announced in 1979 that he had found no constitutional violation in St. Louis the testimony on metropolitan desegregation appeared to become irrelevant, inasmuch as no plan would be required. However, Judge Meredith's decision was appealed.

Appeals Court views

In a 1976 review of the St. Louis case the Court of Appeals had made "suggestions" to Judge Meredith. One suggestion was that "investigation into the voluntary cooperation of the county in accepting minority transfers should not be overlooked."

The idea was reiterated in 1980 when, after reversing Meredith's no-liability finding, the court gave some instructions regarding remedial techniques. Orfield's testimony regarding metropolitan approaches was cited extensively and approvingly. The St. Louis Board of Education, in developing its plan, was to use a variety of techniques to ensure equal opportunity; the Court said, "these techniques may include . . . developing and implementing a comprehensive program of exchanging and transferring students with the suburban school districts of St. Louis County." Further, in a footnote the Appeals Court implied that pre-1954 interdistrict violations were such that the *Milliken* standard for an interdistrict remedial order might be met.

Judge William L. Hungate

Judge Meredith's 1980 orders

In its proposed desegregation plan (May 1980), the St. Louis School Board reiterated the view that only a metropolitan plan offered the promise of stability. However, the plan made no concrete proposals for interdistrict action.

In a May order approving the School Board's desegregation plan, Judge Meredith included language indicating that the suburbs might become involved in desegregation. Paragraph 12 of the order (as amended in a subsequent order issued on September 17) included four directives with a metropolitan emphasis:

(a) St. Louis, the state, and the U.S. were to cooperate in developing a voluntary plan of interdistrict pupil exchanges and transfers to help alleviate racial segregation in St. Louis. Specific attention was to be given to the feasibility of establishing suburban magnet schools which would be open to St. Louis city and county students. St. Charles and Jefferson Counties could also be included. A report on these matters was to be submitted to the court on December 15, 1980.

(b) St. Louis, the state, and the U.S. were to prepare and submit (by December 15, 1980) a plan for the merger and desegregation of the vo-

Summary

- Suburbanization and its accompanying problems spurred attention to metropolitanism in education. In the 1970s the idea of metropolitan desegregation plans attracted both support and criticism. Parties in the St. Louis desegregation case, along with the Court of Appeals, urged a metropolitan approach. In 1980 Judge Meredith issued an order directing attention to four facets of interdistrict activity. They were (a) voluntary interdistrict cooperation, (b) merger of city and county vocational education programs, (c) the feasibility of complete desegregation of metropolitan area schools and (d) federally assisted housing.

cational education programs operated by the city school district and the Special School District in St. Louis County, with implementation to be accomplished in 1981-82.

(c) St. Louis and the state were to prepare a feasibility plan of interdistrict desegregation "that will provide complete and lasting school desegregation." The feasibility plan was to include provisions for pupil assignment, administrative reorganization, and educational components. The feasibility plan was to be submitted to the court on February 16, 1981.

(d) By November 17, 1980, the School Board, the state and the U.S., in conjunction with the City Community Development Agency, were to suggest a plan for insuring that the operation of federally-assisted housing programs in the metropolitan area would facilitate school desegregation.

Court orders new plan

First voluntary plan rejected

In his May 21 order, Judge Meredith directed the state, the city school board, and the United States to work together in developing a "voluntary, cooperative plan of student exchanges" involving St. Louis and suburban districts.

Development of the Plan

At first many suburban districts indicated that they were reluctant to talk about voluntary cooperation, fearing that talk might become a factor in possible future litigation. Judge Meredith attempted to alleviate this concern by issuing an order specifying that a district's voluntary efforts "will not in any way prejudice its legal rights to oppose or resist a suit or orders requiring compulsory cooperation."

By mid-summer, according to a progress report submitted to the court, "delicate contacts" were under way. Suggestions being considered at that time included voluntary student transfers across district lines, magnet schools, fiscal incentives, joint field trips, and teacher and administrator exchanges.

Conversations among state officials, local school board members, attorneys, and administrators continued throughout the fall. By November it appeared that some county districts, under certain conditions, might be willing to participate in a voluntary plan.

In early December, the state, which had taken the lead in fostering discussions, circulated a draft of a plan which permitted voluntary interdistrict cooperation. A modified version of the state's plan was submitted to Judge Meredith on December 15.

The state's plan

The plan begins by acknowledging the integrity of local school district boundaries and autonomy, and by emphasizing that "nothing in the following plan would require any students to attend any school or program that they would not normally attend." Moreover, submission of the plan was not to be construed as an admission of any past constitutional wrongdoing.

The early December draft of the plan indicated that its components were intended "to relieve racial isolation in the metropolitan area;" the final draft said that the plan was submitted "to comply with the order of this court." The final plan also included new language specifically disavowing the setting of any goals concerning the number of participating students. The plan deals with four major facets of interdistrict cooperation: (1) student transfers across district lines, (2) magnet programs, (3) cooperative activities and (4) funding.

(1) Interdistrict transfers are proposed on a purely voluntary basis with participating county districts accepting black voluntary transfer students from the city district while the city district accepts white voluntary transfers from county districts.

Two conditions are set for such transfers. They are to take place on a space-available basis with the receiving district making the determination of space availability. Secondly, the costs involved in accepting transfer students are not to be borne by the receiving district.

No numerical goals for student exchanges are set. The state plan stipulates that the decision of a school district to participate in voluntary exchanges carries with it no requirement that a fixed number of students are to be accepted. Only exchanges between the city and the county are proposed. Language in the early December draft permitting student exchanges among suburban districts was eliminated in the version submitted to the court.

(2) To supplement the voluntary transfers the state plan proposes the creation of magnet schools and magnet programs which would be available on either full-day or half-day bases. The December 15 report contains no information as to the number of students to be served, the location, or the costs of magnet schools and programs. However, several general examples are listed, including specializations in music, science, foreign language, early childhood, performing arts, aerospace, media, government, retailing, basic skills, mastery learning, gymnastics, and health care.

Many of these programs, it is suggested, could be offered in existing schools, building on existing courses which then would be opened to students from other districts. Other programs, particularly those with a career orientation, would be offered cooperatively with community employers such as stores, business offices, and production facilities. The magnet schools operated by the city

Summary

- The United States, the State of Missouri and the St. Louis Board of Education were unable to agree on a voluntary plan for interdistrict student exchanges.
- The plan filed by the state makes broad recommendations for a completely voluntary plan. It specifies no goals, procedures nor funding approaches and prompts Judge Meredith to require supplementary submissions from the state.

continued on page 19

THE ST. LOUIS JOURNALISM REVIEW

928a N. McKnight, St. Louis, Missouri 63132

Dear Reader,

When was the last time you wanted to question something you read in the newspaper, saw on television or heard on the radio?

> As a critique of metropolitan news media, The St. Louis Journalism Review is your advocate in the continuing campaign to improve the quality and integrity of the press and broadcasting in St. Louis. Since 1970, the Review has been offering challenging and provocative assessments on the state of journalism in the metro area.

Winner of the first Lowell Mellet Award for "Best Press Criticism," the Review has been nationally recognized as the watchdog over the St. Louis journalistic profession. The award was based on the Review's "sustained and hard-hitting criticism," which contest judges said made a "distinguished contribution to the improvement of journalism, both print and broadcast," in St. Louis.

> We criticize where criticism is called for, praise where praise is due. We strive to become to the regular newspapers, radio and television stations what those media are to government and other institutions.

Fairness, we believe is the major obligation of the media. Unless all segments of the public have access to the media, the newspapers and broadcasting stations are not living up to the responsibilities which go along with the constitutionally guaranteed Freedom of the Press.

We don't pull any punches

That's because we're fiercely independent and staunchly apolitical. Given the incredible influence news media wield, we recognize the need for an independent voice, undaunted by the private interests of publishers and broadcast executives.

This is why you should know about the St. Louis Journalism Review.

It is the only vehicle in St. Louis that regularly monitors the profession that is entrusted with watching your world. We don't pull any punches because that's not what we're here for.

Each issue comes to you full of insights, candid observations, investigative reports, scoops, speculation and careful research about the world of professional news media. With a probing eye, we'll keep you up to date on the latest technology, the newest angle or the oldest trick as we vigorously examine every aspect of the metropolitan media and their effect on the information you receive each day.


THE ST. LOUIS JOURNALISM REVIEW

Pulitzer, Newhouse share profits in new merger pact

Estimate 125 laid off at Globe-Democrat

Newspaper blues

St. Louis American needs cash; may fold

"Metro-East Journal bids you goodbye"

Here is a sampling of recent reports:

- Story fixing behind the ticket fixing
- Tremors in Pulitzer Dynasty
- Globe publisher reveals identity of secret witness
- Inside the Pulitzer Prizes
- Missouri airwaves: the looting of a resource
- The comics the Post didn't want you to see
- The ten best-censored stories
- Eric Mink: the Robin Hood of the St. Louis airwaves
- Headline twisting is an art
- The Post-Globe merger
- St. Louis power structure may try to pressure him, says Ch. 2 news chief

For ten years The St. Louis Journalism Review has covered key media issues in St. Louis. Among them were profit-splitting between the Post and Globe . . . running coverage of cable television . . . politics and the media . . . business and the press . . . media censorship . . . personalities and awards . . . pertinent decisions by the Federal Communications Commission . . . media racism and sexism . . . and the very special inside reports what is being decided, what is happening inside the St. Louis news establishment.

For ten years the best among the top professional journalists in St. Louis, many of them working full-time for the local press and broadcast media, have cared enough about what you read, hear and see to scrutinize it, and to act as a kind of loyal opposition to the media for which they work.

We do not claim that their commitment has been fully appreciated by the news establishment. But we do know that the St. Louis public is among the best informed in the country thanks to their efforts. St. Louis has the distinction of being home to the only review which is staffed by working journalists.

What do the experts say about the St. Louis Journalism Review?

R.R. Bowker Company publishes the definitive volume on "Magazines for Libraries." Here's what they have to say:

> ". . . this regional journalism review is probably the best of its kind currently published. The depth and quality of coverage and the persistence of the writers' criticism of the media place it among the top reviews in the field. The articles are written by working journalists and a few lay critics, and they pull no punches. . . All area newspapers, magazines, radio and TV stations are covered in the articles. . . Because the problems presented are universal, this bimonthly is highly recommended. . ."

The Columbia Journalism Review described The St. Louis Journalism Review as

> ". . . even-handed, comprehensive, even a little heavy. But the tone throughout is that of determined journalists who know what they want to do . . . this review attained instant maturity—its rather somber newspaper format gives an impression of sobriety, care thoroughness. . ."

Straus Editor's Report:

> ". . . most promising local journalism review yet . . ."

Here are a few more: ". . . extraordinarily impressive . . ." Nat Hentoff; ". . . it occurs to me that there may be a large readership nationally rather than locally for a publication such as yours" (the late) Paul Greer.

Forgive us for this indulgence. But these testimonials should convince you that you cannot afford to miss any longer what your friends have been privy to for ten years: knowing the news behind the news.

If you are not satisfied, we'll send back every penny and you can keep the issues received. (*)

Please return the subscription order today. We'll start you with the current issue. If you already subscribe, why not forward this letter to a friend? He will appreciate your help in letting him know about the Review, which the established media try to keep the best-kept secret in St. Louis.

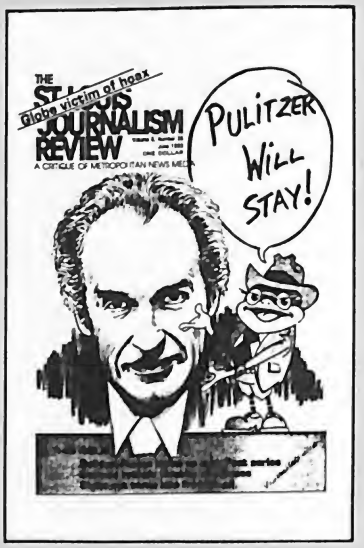
(X) If you use the coupon on the back of this page (or mention it), we will send you 2 back copies free of charge!

Winner of the

First

Lowell Mellett Award

for Best Press Criticism in the country.



To: ***St. Louis Journalism Review***
928a N. McKnight
St. Louis, Mo. 63132

Please enter my subscription for

( ) 1 Yr. (6 issues) $8
( ) 2 Yrs. (12 issues) $14
( ) 3 Yrs. (18 issues) $19.50
( ) 5 Yrs. (30 issues) $29

☐ Check enclosed ☐ Bill Me

Name: _____

Address: _____

City/State/Zip: _____

Occupation: _____

It's not too late to ask us to send a gift in your name

Reduced Gift Rates for the Holidays

A handsome gift card will be mailed in your name.

Please enter the following gift subscriptions: First Gift: $7.00 Second Gift: $6.50 Third Gift: $6.00

Mail to: St. Louis Journalism Review
928a No. McKnight Road
St. Louis, Mo. 63132

☐ Check enclosed $_____ ☐ Bill me

Gift card to read: _____

Please send invoice to: _____

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP _____

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

continued from page 14
school district would continue to accept white students from the county.

(3) The plan refers to several existing cooperative activities which lend themselves to expansion. Examples described include a student leadership program that pairs city and county students in problem-solving activities; Missouri Botanical Garden courses on environmental education; programs by various cultural agencies, including the Art Museum; and projects that feature career offerings by experts from business and professional groups.

Programs aimed at staff development are also in existence and subject to expansion. City programs could be opened to county staff members. Staff exchange programs might be implemented to give both city and county professionals a broader understanding of student and community needs. Cooperative advisory groups including parents, teachers, administrators and students are contemplated.

(4) The state plan notes that the availability of funding would increase receptivity to pupil exchange programs. Several funding sources are mentioned: special appropriations through the General Assembly; tuition payments from one district to another; federal assistance (the plan specifies that the U.S. will pay at least one-half the cost of a court-ordered program); increased local tax levies; and use of existing reimbursement authorizations (e.g., state aid for transportation).

The state defendants expressed their willingness to seek enabling legislation in the General Assembly. The early-December draft of the state plan includes a proposed fiscal incentives bill. The bill provides that sending districts may claim 10% of their normal state aid for each transfer student; receiving districts could claim 110% of a state-approved tuition rate. Another option would allow the sending district to collect full state aid for transferred students, then pay tuition to the receiving district; this plan would require no additional state funding.

The proposed fiscal incentives bill was deleted from the final report submitted on December 15. The state defendants said they continued to support the idea of fiscal incentives legislation but that the state and city defendants had been unable to agree on language for such a bill. The city, claimed the state, demanded full state aid for students transferring to county districts. The state asserts that such aid would be inequitable inasmuch as the city no longer provides the education and that the city should be required to bear some of the cost burden since as the city was found guilty of failing to meet its constitutional duty to eliminate segregation.

Responses to the state plan

Simultaneous with the filing of the state's plan, the city board of education and the United States submitted a joint response. It characterized the state's plan as deficient, specifically in its failure to: 1) include specific goals by which to measure objectives and achievements; 2) include a timetable for action; 3) indicate available spaces in cooperating districts; 4) identify adequate funding sources; 5) consider the feasibility of establishing magnet schools in the suburbs; 6) provide for interdistrict transfers among county schools; and 7) insure against transfers that would impair the desegregation of the city's public schools. However, the report concludes with a statement of readiness to enter into cooperative agreements for desegregation transfers.

Press reported reactions to the state plan ranged from caution on the part of school board spokesmen to a warning of intended litigation from an NAACP attorney. Gary Orfield, in a related report to the Court, observed that negotiations that seemed to be leading to a breakthrough in early December collapsed when the state's proposals were modified.

Judge Meredith found that the state's plan provided an inadequate basis for determining the feasibility of voluntary integration. On December 19, in what he called "one last effort to promote a voluntary plan," Meredith ordered the state to submit another plan by February 2, 1981.

The new plan is to contain information on the racial composition of each county district and on the availability of space in each district. The new plan is to provide for the interchange of students between the city and county as well as among county districts. There are to be specific recommendations for the location of magnet schools. Detailed information about costs and sources of funds is to be provided.

On February 2, the new plan is to be circulated to other districts in the metropolitan area, and one month later the state is to provide a report listing the districts willing to participate and those refusing to participate in the new voluntary plan.

Federal and state moneys fund voluntary programs

Interdistrict transfers can work

Boston: METCO

When Boston desegregated its schools in 1975, enough trouble erupted to attract national news coverage for weeks on end. But Boston's voluntary interdistrict plan had by then finished ten years of largely unpublicized operation. METCO (Metropolitan Council for Educational Opportunity) grew out of the frustrations of black Boston parents regarding their children's education.

Through the leadership of black clergymen and the efforts of the NAACP and other civil rights groups, an urban/suburban coalition was formed that dramatized the need for school changes.

In 1963 and 1964, Boston School Stayouts were held to allow suburban students and their parents to attend Freedom Schools to acquaint them with the problems of the Boston schools. In 1965, largely through the efforts of the urban/suburban coalition, the state legislature passed a Racial Imbalance Act designed to reduce racial isolation.

That same summer saw the beginning of transfer programs bringing together children from the city and the suburbs.

Slowly the program expanded through public meetings and private exchanges between interested citizens and school board members. Statutory obstacles to interdistrict school attendance were overcome and the METCO program was initiated with

the voluntary transfer of 220 black students to seven suburban districts in 1966–67. In 1979–80, the number of METCO participants had increased to almost 3,200 students transferred to 36 out of 37 suburban districts. Repeated amendments to the Racial Imbalance Act provided a funding mechanism whereby the state now pays all transportation costs as well as the incremental costs of educating non-resident students.

Plans for the individual programs (i.e., what students are going to be permitted to transfer to which schools) are made by the local school committees, checked for compliance with statutory criteria by the State Board of Education, and monitored by the Board's Bureau of Equal Educational Opportunity.

Rochester, N.Y.: PROJECT US

Rochester has a heavy concentration (60%) of minority students in its schools; the 17 school districts that ring the city average 5% minority students.

In 1963, one overwhelmingly white district decided to expand the cultural horizons of its students while making a small dent in the racial isolation problem. It initiated a transfer program that transported 25 black students from a Rochester high school to its own high school with its solitary black resident student. The program was well received by the community and soon expanded within and outside the West Irondequoit district.

By last school year, PROJECT US (Urban Suburban Interdistrict Transfer Program) was bringing 1,200 students out from the city and transporting a handful in. West Irondequoit now leads a consortium of seven school districts that participate in the project. The state of New York pays all transportation costs related to the project; the federal government last year provided $1.7 million (under the Emergency School Aid Act) to cover incremental education costs.

Measures of success: early independent studies showed benefits to both the black transfer students and the whites integrated by their presence.

Throughout its history, few if any of the transfer students have failed the annual state competency tests given ninth graders—while half the minority students in the city schools do fail them. This despite the fact that children who apply are not subject to academic disqualifications. Most children start in the first grade (when records of success are not well established) and continue through graduation. Director Norman Gross, who has been with the project since its earliest stages, points with pride to the graduation from M.I.T. of one of the first PROJECT US participants.

Hartford, Conn.: PROJECT CONCERN

Efforts are under way to desegregate the public schools of Hartford where the school population is 84% black/Hispanic. Clearly, total desegregation on a city-only basis would leave very small white minorities in all the schools. The state's Racial Imbalance Act enables the State Board of Education to gather data and implement plans to reduce racial isolation but the lack of a state funding mechanism is a handicap.

Still, Hartford has one of the oldest interdistrict transfer programs: PROJECT CONCERN, now in its 15th year. The program has grown steadily in participation and in community acceptance so that the Hartford school system says William Paradis, Project Concern director, counts on this voluntary project to suffice to ward off court challenges to city school desegregation. Last year, 1,200 children traveled by bus from 13 city schools that are 90%+ black/Hispanic to 13 suburban communities, on a space-available basis.

Since its start in 1966, the project has sent teachers and/or aides along with participating students to provide supervision in transit and to assist with instruction at the receiving schools. Children usually start in the transfer program in the primary grades and continue until graduation. There have been about 140 graduates so far; 80 more will graduate at the end of this school year. The program has been highly studied by independent researchers who have generally concluded that the program is of academic benefit to the participants. Because the program is funded primarily through compensatory grants, eligibility of students is contingent on low family income and low academic ranking.

Milwaukee

Voluntary interdistrict programs are facilitated in Wisconsin by state law. Its Conta Act (Chapter 220, Laws of 1975) is a model effort by a state to provide a mechanism for reducing racial isolation. The law de-

Summary

- Metropolitan approaches to desegregation can be implemented on the basis of voluntary cooperation, either as an adjunct or an alternative to forced busing.
- Existing voluntary plans are relatively small in scope, but they demonstrate growing community acceptance of desegregative educational projects.
- The plans offer suburban schools with declining enrollments the opportunity to fill vacant seats and maintain teaching positions while improving the racial balance of their student bodies.
- The programs are vulnerable to criticism as one-way busing programs in which the minority students do most of the traveling. But the continuing growth of all the programs suggests that the benefits outweigh the drawbacks. All the plans have waiting lists of applicants.
- Involvement of the state government encourages growth of interdistrict transfer plans. State legislation that sets up and funds mechanisms for exchange helps communities see themselves as part of the solution to metropolitan problems. However, it should be noted that the absence of enabling legislation did not prevent the development of working programs in Hartford and Rochester.

fines goals, sets up alternative avenues toward those goals and provides the financial incentives to make the trip appealing. Planning councils set up between Milwaukee and each suburban district are required by law to meet for discussion of transfer plans. Implementation follows only after agreement by both suburban and city school boards.

Under such plans, voluntary interdistrict transfers began in 1976-77 with 319 students moved from Milwaukee to suburban schools; 35 transferred the reverse way (18 on a part-time basis). During this year, 957 will transfer out, about 140 in. Eligibility for transfers is defined by law (so as to improve racial balance) but the terms of the transfer programs are set only by interdistrict contract.

The financial incentive for interdistrict transfers is provided: the state which reimburses the receiving school district for the total cost of educating all eligible non-resident students. The sending district, meanwhile, may also count transferred students in making their state aid computations—thus negating the usual reluctance of sending districts to participate out of fear of losing state aid. Further, the receiving district receives additional aid once the total number of transfer students equals 5% of the total enrollment. The state pays all transportation costs.

While the number of students involved in the voluntary interdistrict transfer option is still relatively small, acceptance by school administrators and by the parents of transferred students is widespread. The law itself is considered a model for state legislatures considering positive involvement in the school desegregation process.

Interdistrict effect counts

Where court-ordered transfers apply

The U.S. Constitution provides for the establishment of federal courts to hear cases "arising under this Constitution." The 14th Amendment, adopted after the Civil War, provides that no State can "deny to any person . . . the equal protection of the laws."

These two constitutional provisions provide the foundation for virtually all school desegration cases. Districts which have maintained segregated schools have been taken to court by plaintiffs who contend that segregated schools are not equal.

The problem, according to the plaintiffs, is not simply that such schools often are demonstrably inferior in matters such as books, staff, and facilities; the problem is that state-fostered segregation marks minority groups as inferior. The plaintiffs have asked the federal courts to find that minority students' 14th Amendment rights have been violated, and to order effective remedies.

Before 1954 the courts typically responded to such cases by ordering equalization of resources among racially segregated schools. But in *Brown v. Board of Education* (1954) the Supreme Court held that segregated schools were inherently unequal. The lower federal courts then were charged with the task of supervising the dismantling of unconstitutional segregation in the public schools.

In the years following *Brown* it soon became apparent that segregation did not always end when segregation laws were repealed. Administrative decisions affecting staff assignments, tracking, transfer policies, and school construction, linked with housing discrimination, served to perpetuate school segregation. Redress again was sought through the courts.

In a series of cases which culminated in a unanimous 1971 decision *(Swann v. Charlotte-Mecklenburg)* the Supreme Court made it clear that dilatory tactics no longer would be contenanced. There was an affirmative duty to desegregate. And the test of a desegregation plan was defined in terms of results: a plan would not satisfy the Constitution unless it worked.

The Court then approved a busing plan which helped attain a unitary school system in Charlotte.

The Richmond case

Does the sweeping language of *Swann* authorize federal court judges to adopt plans which involve districts other than the one in which the constitutional violation is found? The question first arose in Richmond.

In 1972 a judge ordered consolidation of Richmond and two adjacent county districts. But the Court of Appeals held that the lower court had exceeded its authority: there had not been a sufficient showing that the establishment and maintenance of the three districts was intended to segregate. The lower court could not consolidate districts on the pretext of remedying a violation found in only one of the districts. The Supreme Court divided 4-4 on the case, revealing a major split of opinion within the Court.

The Detroit case *Milliken v. Bradley* (1974)

Three years later the Supreme Court issued an opinion which shed some light on the question of court-ordered interdistrict remedies. (The

Summary

- Interdistrict desegregation plans have been approved in Louisville, Kinloch, Wilmington, and Indianapolis, but not in Richmond, Detroit, or Atlanta.
- The Supreme Court has not ruled favorably on any interdistrict plan. However in *Milliken v. Bradley* the Court set forth a standard which must be met if such a plan is to be ordered. In essence, the standard requires proof of an interdistrict violation, plus a "significant interdistrict effect," before there can be an interdistrict remedy.
- The Supreme Court has declined to review post-*Milliken* interdistrict orders where the lower courts have found violations with respect to (a) interdistrict transfers for the purpose of segregation, (b) school district reorganization plans where race has been considered, and (c) housing policies which affect racial enrollments in neighboring districts.

Court has issued no subsequent opinions on this question.)

In Detroit the district court had found that state officials and school district officials had acted in ways designed to foster unlawful racial isolation in the schools. It was the view of the district court that desegregating the city schools alone would not halt racial isolation; the proportion of minority students was too high, and continued white flight would result in re-segregation. Thus the court ordered a remedial plan which involved several suburban districts. The order was appealed.

In a 5-4 decision the Supreme Court rejected the interdistrict remedy. The majority opinion held that desegregation plans could not extend beyond a single district unless it first was shown that

> . . . there has been a constitutional violation within one district that produces a significant segregative effect in another district.

That language set the standard against which subsequent interdistrict desegregation plans would be measured.

Post-Milliken cases: 1974-80

In Louisville, the federal district court found that the city's schools had been segregated, and also that black students from the suburbs had been bused into Louisville's black schools in pre-*Brown* days.

A metropolitan-wide remedy was ordered as the Louisville Board of Education then voluntarily dissolved itself, forcing consolidation with the adjacent Jefferson County district. The metropolitan remedy proceeded within a single consolidated district. The Supreme Court declined to review the situation.

In 1975, school district lines were dissolved in the Kinloch case in suburban St. Louis. After hearings Judge Meredith (who also has been handling the St. Louis City case) found that the all-black Kinloch district had been created in a racially discriminatory manner, and that the actions and inactions of state and county officials had perpetuated racial isolation and inequality in Kinloch. Meredith ordered a merger with two adjacent predominantly-white districts—Berkeley and Ferguson-Florissant. The Supreme Court declined to review the decision.

In Wilmington-New Castle County, the district court found substantial pre-*Brown* interdependence between Wilmington and suburban school districts—for both academic and segregative purposes. Various state and local government agencies were found to have contributed to housing patterns that resulted in racial disparities among districts. Moreover a school district reorganization law in 1968 specifically excluded Wilmington's predominantly black schools. The court concluded that such violations warranted an interdistrict remedy. The Supreme Court declined to review the order, and a merger of school districts has been consummated.

In May 1980, the Supreme Court refused to review a lower court decision which rejected an interdistrict plan involving Atlanta and its suburbs. The rejection was based on the lower courts' conclusion that racial imbalance between Atlanta and its suburbs resulted from factors other than governmental action.

Indianapolis is the latest city to find itself under court order to desegregate across district lines. There the lower courts found evidence of illegal discrimination against minority students in Indianapolis as a result of public housing practices which concentrated low-income minority housing projects within the city limits, and a countywide governmental consolidation which excludes the school systems. Finding an interdistrict violation in these practices, the lower courts ordered an interdistrict remedy which involved busing several thousand black students from the city to the suburbs.

On October 6, 1980 the Supreme Court declined to review the case. Indianapolis became the first city to have an interdistrict desegregation order affecting unconsolidated autonomous school districts.

The Kinloch case: A precedent

Full desegregation without incident

In 1975 U.S. District Court Judge James Meredith (the same judge who has been presiding over the St. Louis City desegregation case) ordered a merger of the Kinloch, Berkeley, and Ferguson-Florissant school districts in the northern portion of St. Louis County.

The merger was necessary, Judge Meredith said, in order to eliminate unconstitutional discrimination against the students of the Kinloch district. The Kinloch case forms an important part of the desegregation story in metropolitan St. Louis and may have significance for future litigation affecting St. Louis City and suburban districts.

As in most desegregation litigation, the Kinloch case proceeded through three distinct phases. In the first stage the court heard evidence designed to ascertain whether there had been a *constitutional violation* affecting Kinloch students. Judge Meredith found that a violation had occurred and so he proceeded to the second phase: *designing a remedy.*

Finally, after a remedy was designed and approved by the court, there was a court-supervised *implementation phase.*

Was there a constitutional violation?

In 1971 the U.S. Department of Justice, invoking authority granted to it by the Civil Rights Act of 1964, filed a complaint contending that students in the all-black Kinloch district were being denied rights assured by the equal protection clause of the 14th Amendment of the U.S. Constitution.

Defendants in the case included state officials, county officials, and school officials of Kinloch and the adjoining districts of Berkeley and Ferguson-Florissant. Subsequently, the Justice Department presented evidence supporting its allegations. The defendants, of course, presented contrary evidence.

Judge Meredith, having heard the presentations, made several findings of fact, essentially as follows:

- Prior to 1937 the present Kinloch district and most of the present Berkeley district were one school district. The public schools in the

district were segregated in accordance with Missouri law.

- In 1937 the City of Berkeley was incorporated; it promptly formed its own school district. The boundaries of the city of Berkeley closely followed residential racial patterns, and the result was the creation of a predominantly-white district (Berkeley) and a predominantly-black district (Kinloch).
- The new Kinloch district had very little taxable wealth, with the result that the educational opportunities available in the district were markedly inferior to the opportunities offered by adjacent districts and by other districts in St. Louis County. These inequalities persisted through the time of the trial, when Kinloch was found to have inferior facilities, inferior curriculum, inferior equipment, inferior library holdings, and inferior teacher salaries. Despite one of the highest tax rates in the metropolitan area, Kinloch's financial resources simply did not permit programs comparable to those of nearby districts.
- Although they knew that Kinloch's schools were segregated and educationally inferior, state and county officials failed to act to alleviate the situation. For example, Kinloch was not included in most of the school district reorganization plans in the North County area in the 1940s and 1950s.

These and related facts led the judge to decide that state, county, and local defendants had violated the constitutional rights of the Kinloch students.

Judge Meredith ordered the state and county boards of education to create a plan to disestablish the racially dual system and to "eliminate the continuing effects of past discrimination against, and denial of equal educational opportunities to, students in the Kinloch District." A subsequent order directed that "busing of students shall be at a minimum."

Designing a remedy

Several desegregation plans were devised by various parties. A plan prepared by the state and county boards of education proposed consolidation of the three districts. This plan was deemed by Judge Meredith to be "the least disruptive alternative which is educationally sound, administratively feasible and which promises to achieve at least the minimum amount of desegregation that is constitutionally required."

Early in 1975 Judge Meredith ordered that the Berkeley and Kinloch districts were to be annexed by the Ferguson-Florissant district. An interdistrict plan was justified, Judge Meredith held, in spite of the recent U.S. Supreme Court ruling barring an interdistrict remedy in Detroit.

There the Supreme Court had said that an interdistrict remedy "might be in order where the racially discriminatory acts of one or more school districts caused racial segregation in an adjacent district, or where district lines have been deliberately drawn on the basis of race." Such a situation had existed in Kinloch, Judge Meredith said.

It was fairly apparent that Berkeley was directly implicated in the creation of the all-black Kinloch district. However, Ferguson-Florissant strongly protested its involvement in the remedy plan, contending that it had not been responsible for the creation of Kinloch.

But the court noted that the Ferguson-Florissant School District was responsible, along with the other defendants, for the maintenance of the all-black Kinloch district. The rejection by the area voters of a school reorganization plan that included Kinloch was a constitutional wrong.

In order to effect the three-district merger Meredith's order incorporated procedures substantially like those already provided (in Missouri statutes) for school district annexations. The Ferguson-Florissant School Board was restructured in order to provide representation from all three districts.

A new tax levy was set by the Court, at a rate higher than previously voted by any of the three districts. The new rate, said the Judge, "shall be deemed to have been approved by the voters." Details of the plan devised by the state and county defendants, including school closings, transportation, curriculum reviews, and affirmative action, were to be implemented in the 1975-76 school year. The court would monitor implementation of its order.

Meredith's order was appealed by all three districts. However the 8th Circuit Court of Appeals sustained the order, except for the provisions concerning the implementation schedule and the tax rate. The new rate was later reduced to the rate previously levied in Ferguson-Florissant (effectively increasing the tax paid by Berkeley and Kinloch residents). The U.S. Supreme Court declined to hear further appeals.

Implementation

The enlarged Ferguson-Florissant district came into being during the spring of 1975. The school year of 1975-76 was designated as a planning year, during which educational programs were re-designed, student and staff reassignments were devised, and staff training occurred.

Full desegregation began without incident in the fall of 1976. About 22% of the students in the newly consolidated district were black. According to Ferguson-Florissant officials, the proportion of students riding buses to school increased from 34% in 1975-76 to 40% in 1976-77.

Student assignments were planned so that no school population would be more than 50% black. But rapidly changing residential patterns affected the assignment plans. Some residents protested that the desegregation of Kinloch led to predominantly-black schools in Berkeley.

In 1977, Judge Meredith issued a new order requiring the district to propose a plan to reduce black enrollment in each school to no more than 40% in view of the fact that the overall percentage of black children in the entire district was only 22.3%.

Implementation of the revised plan turned out to be a mixed blessing for Berkeley residents, according to Professor Daniel J. Monti of the University of Missouri at St. Louis. To meet the new order, two Berkeley schools were closed. The burden of the plan, Dr. Monti charges, fell largely on the lower income white and black families in Kinloch and Berkeley.

Summary

- Official actions by state, county and local officials were found to have created and perpetuated the all-black Kinloch school district.
- Actions and inactions by the adjacent Berkeley and Ferguson-Florissant districts and by county and state officials justified, in the eyes of the court, a multi-district plan for desegregating Kinloch.
- The court-ordered merger of the three districts was sustained on appeal.
- Implementation of the court-ordered merger plan was sufficiently successful to lead the court to relinquish its jurisdiction of district affairs five years after the merger occurred.

Nonetheless, the implementation of the merger in 1975 and the subsequent desegregation plan proved satisfactory to the court. Outside experts familiar with desegregation in other areas were brought in to help meet expected and unexpected events. Federal desegregation assistance funds were obtained to facilitate hiring of additional teachers and teacher aides, and to provide staff training in human relations.

In August 1980, over the objections of the Justice Department (which wanted continuation of the court's role), Judge Meredith ended his supervision of the schools and returned full control to the district.

Advantages and disadvantages

Magnet schools: How successful?

Under the Consent Decree approved in 1976, the St. Louis School Board proposed to use "magnet schools" as an approach to desegregation. Shortly thereafter, several magnet schools were established in the city. These schools continue to operate within the context of the city-wide desegregation plan initiated in September 1980.[1]

The state's recently proposed plan for voluntary city-county desegregation also has suggested that major attention be given to magnet schools. The state proposed the creation of several such schools to serve the metropolitan area.

What makes them distinctive?

Magnet schools have three special features. First, a magnet school offers a *distinctive program or a distinctive emphasis* which differentiates it from other schools. For example, at the secondary level magnet schools may offer uniquely intensive programs in the performing arts, in occupational areas such as health-related fields or airline industry careers, or in academic specializations such as foreign languages or urban affairs. Elementary-level magnet schools might specialize in "traditional" or "open" learning styles, or in basic skills, or in the arts. This is not to say that magnet schools do not offer instruction in conventional areas; magnet school students receive a full program of studies, supplemented by special emphasis or additional study in the magnet school's specialization.

The secondary distinctive feature of magnet schools is: *enrollment is voluntary*. Students are not assigned to magnet schools; students apply for admission. Applicants may come from the immediate vicinity or they may come from a city-wide or even a regional area. Students who do not apply, or whose applications are rejected, are assigned to other schools in the usual fashion.

Third, admission to magnet schools is controlled in order to assure *racial balance*. Usually there is some range of permissible enrollment ratios; this range will depend upon local circumstances. If admissions and enrollments fall outside the permissible range, the school does not qualify for designation as a magnet school in the context of desegregation.

A history of specialization

Precursors of today's magnet schools have a long history in American schools. Needs and desires for specialized programs have been recognized in vocational-technical education, special education, career education, and alternative education. Local examples include the O'Fallon and North and South County Vocational-Technical Schools, and special schools such as those for the deaf or the orthopedically handicapped.

In the 1970s, many area school districts opened "alternative schools" for students who opted out of more conventional school programs. Elsewhere, schools such as the Boston Latin School and the Bronx High School of Science were designed to serve students with special academic talents. But these older specialized schools do not qualify as magnet schools, for they were not required to meet racial-balance enrollment criteria, and sometimes admission was not entirely voluntary. Nonetheless, such schools demonstrated the possibility of operating differentiated programs within the context of educational systems which normally stressed uniformity and standardization among schools.

In the 1970s, several urban school systems seized upon the magnet school idea as a desegregation device, for it appeared to offer the possibility of promoting desegregation in a manner that was not only voluntary, but also in a way that offered improvements in educational programs.

Magnet schools were instituted in cities such as Boston, Dallas, Houston, Buffalo, San Diego, and Minneapolis. Many of these schools have been highly successful in attracting integrated student bodies and in developing outstanding educational programs. In Boston, for example, several magnet schools, despite their location in deteriorating neighborhoods, have attracted more than enough applicants to programs which have drawn upon the resources of local universities and businesses and cultural programs and which are demonstrably different from those formerly offered in regular neighborhood schools.

Legally, magnet schools have obtained both Congressional and judicial support. The Emergency School Assistance Act includes provisions which make substantial federal financial assistance available to magnet schools which meet desegregation and other criteria. Court approval has been given to desegregation plans which include magnet schools, provided that the magnet school components of the plan, together with

Summary

- Magnet schools offer programs which are distinctively different from standard school programs, enroll students on a voluntary and racially balanced basis.
- Although magnet schools offer many positive features, they are no panacea for desegregation, as they leave some problems unsolved and create some new problems.

other components, succeed in achieving desegregation objectives.

St. Louis magnet schools

The St. Louis school system opened eleven magnet schools in 1976. The schools were designed to provide improved educational opportunities as well as to reduce the incidence of racial isolation.

Three magnet high schools offered specialization in the visual and performing arts, in business and office careers, and in mathematics and science. At the elementary level, magnet schools were established featuring investigative learning techniques, foreign language, basic education (2 schools), the visual and performing arts, individualized education, computer-based instruction, and career exploration.

Despite initial problems in obtaining timely federal assistance in transportation and in recruitment, more than 2,400 students participated in the magnet schools during their first year of operation. Since then enrollments have increased and additional magnet schools have been opened.

In the 1980-81 school year, enrollment in the magnet schools exceeds 4,000 students (about 7% of the St. Louis total). Included are a handful of students from St. Louis County. Racial balance guidelines are being met; virtually all of the magnet schools enroll 30-50% white students and 50-70% black students. Evaluations of the instructional effectiveness of the magnet school programs are being conducted by city evaluators.

Assessments of magnet schools

Advocates of magnet schools point to a number of positive accomplishments:

—Magnet schools provide educational opportunities otherwise unavailable to students. Specially trained teachers, plus uniquely-designed facilities and equipment, plus links with business and cultural/academic institutions have produced superior educational programs. Moreover, magnet schools permit the offering of courses and programs which would not be economically feasible if they had to be offered in each school within a district.

—Because of their quality, magnet schools attract into the school system students who otherwise would enroll in non-public schools or who would move to another district.

—Magnet schools offer natural and unforced integration as students of diverse ethnic backgrounds are brought together by their common interests and abilities rather than by mandatory reassignment.

—Magnet schools contribute to the reduction of racial isolation in the schools.

Critics of magnet schools offer these assessments:

—Although magnet schools themselves may be integrated, they do not have much effect upon pervasive racial isolation in the schools. They do not provide a full remedy for segregation.

—Magnet schools create a two-tier system, wherein disproportionate resources and talents are diverted to the magnet schools, leaving the remaining schools worse off than they otherwise would be.

—Magnet schools discriminate against minority students, particularly when racially-based enrollment goals result in admission of higher proportions of white applicants, or when spaces for which minority students have applied are left unfilled because of an insufficient number of majority enrollees.

—Magnet schools are difficult to manage, particularly in view of the uncertainties of the federal funding on which they often depend, recruitment and admission problems, and requirements for specialized staff and facilities.

EDITORIALS

continued from page 6

special services. Preschool is substantially paid for, with interest, by the end of a child's school career, not to mention savings to society due to lower delinquency rates.

The study*, known as the Perry Preschool Project, is being conducted by the High/Scope Educational Research Foundation with the cooperation of the Ypsilanti, Michigan, public schools. Project directors David P. Weikart and Lawrence J. Schweinhart say they hope the research results will "draw the attention of the public back to early childhood education as an appropriate investment, especially in this time of limited resources." They add, "Preschool not only prevents problems that, if unattended, cost society much more later on, but it increases the effectiveness and efficiency of the investment we already make in schooling."

*The study results by Weikart and Schweinhart are available in the publication, *Young Children Grow Up: The Effects of the Perry Scool Preschool Program on Youths through Age 15* from the High/Scope Press, 600 N. River, Ypsilanti, Michigan 48917 ($8).

By Robert McClory

Six practical rules for maintaining a quality school system

President, School Board
No-Name School District
Anywhere, Illinois

Dear Sir:

In response to your recent request for advice about maintaining stability in your troubled educational system, I offer the following detailed and (naturally) confidential prescription based on years of experience in the great city of Chicago. Our approach may not solve all your problems, but it is clear and practical and includes recommendations which can be implemented in most cities with only a few adjustments for local peculiarities. The questions you ask can be reduced, we think, to this: Just how has a very visible northern city the size of Chicago managed to keep 456,000 black, Hispanic and white school children safely separated and in their own neighborhood schools despite pressure from the courts, the interference of state and federal bureaucrats, and a dwindling supply of white students?

Clearly, the challenge has been great, especially with our budgetary problems, the appointment of a brand new school board and the unfair intrusion of the U.S. Justice Department. Yet in 1979 more than 50 percent of our schools had a 90 percent or more black enrollment — a 2 percent increase since 1975. And despite the fact that white students comprise only 18 percent of our enrollment, we have succeeded in maintaining scores of virtually all-white neighborhood schools on our northwest and southwest sides.

Our record, in fact, is so remarkable that the Department of Health, Education and Welfare cited our efforts in a most emphatic way: "Chicago has been found to have the highest level of school segregation among the 10 largest cities in the North and West . . . . It rated 92 on a scale of 100 (100 defined as 'total segregation'), while the other nine cities averaged 68."

What the Washington bureaucrats so conveniently failed to note is that these schools are attended by students of similar background, ethnic heritage and culture. HEW may call such arrangements separatism, of course, but we call it loyalty to one's roots and opposition to the use of children for social experimentation. Even our celebrated Access to Excellence program — which some feared might disrupt our system — has paled in the shadow of our venerable neighborhood concept, and it has done nothing to break our hallowed traditions in any significant way. But more of that later. The important point is that while formerly great bastions of the neighborhood school concept like Boston, Cleveland and San Francisco have been compelled to shuffle their children needlessly, we in Chicago have not. We are confident that by following these simple rules, you too can preserve the status quo for a time. Eventually, of course, we may all be forced to abandon our large cities as hopelessly unmanageable, but the maintenance of reasonable and responsible race separation in our city schools is at least a temporary hedge against the chaos of racial integration.

Rule 1 Remember Your Mandate. Theoretical notions about equality and equal opportunity are all well and good, and all of us here in Chicago share those ideals. But that won't pay the taxes or the teachers or the light bills. We are servants of the public carrying out their will as efficiently as we can.

The real estate industry is naturally opposed to a fully integrated school system and always has been because it would destroy free enterprise in the housing market and play havoc with house sale patterns established more than 50 years ago. Would white families move out of changing communities if they didn't have assurances that the children could go to all-white schools in the new neighborhood? Probably not. They would stay where they are. And where would our black families, ever seeking to improve their lot in life, go? They would be stuck in the slums. So you see, a totally integrated school system actually stifles mobility and the progress of the underclass up the social ladder — not to mention its depressing effect on the real estate market.

An arbitrarily integrated school system also virtually guarantees that when white families have to move, they will go to the suburbs, not for the lawns and patios so much, but for the all-white middle-class schools. Granted, there has been a significant white flight out of Chicago in the past 10 years anyway — about 400,000 people, in fact. But it would have been worse if we had not vigorously maintained our neighborhood schools — often through the most creative adjustments in school district boundaries.

Quite naturally and practically, business and industry oppose capricious school integration because owners,

Robert McClory is author of The Man Who Beat Clout City, *contributor to* Chicago *magazine,* Chicago Reader, The National Catholic Reporter *and former city editor of the* Chicago Daily Defender.

This essay was reprinted from Illinois Issues at Sangamon College. It was made possible in part by a grant from the Illinois Humanities Council, in cooperation with the National Endowment for the Humanities. Reprints of these essays are available at no cost from the Illinois Humanities Council, 201 W. Springfield, Champaign, Illinois 61820.

managers and employees realize a solid bloc of white families is necessary for urban stability. An all-black city is just not compatible with the health of the business community, as the unfortunate examples of Detroit and Gary, Ind., will attest.

And labor unions, too, oppose forced mixing of the races because labor wants to preserve and pass on its hard-won benefits to its members and their descendents, who, in Chicago and most other cities, just happen to be white. A well-established tradition in Chicago even allowed our local unions to control admissions to the Washburn Trade School, even though our Board of Education paid for it. That way the sons of good union men could get valuable training. Besides, race relations in the labor movement haven't been very good in Chicago since the First World War, when industry got into the habit of importing blacks from the South as strikebreakers.

Also, the city government wants to limit race mixing in the schools because such artificial social engineering is politically, educationally and socially explosive. And the first job of our city fathers is to respond to the legitimate wishes of its most responsible and solvent citizens.

I don't think I have to tell you how white parents feel about this subject, at least those who are articulate and willing to take a stand.

In the face of these practical realities, there's no need for liberal guilt pangs as you go about preserving your own neighborhood systems. In our city we have a respected coalition of leaders from every important sector: business, banking, real estate, labor, education. It is called Chicago United, and it has always supported the general thrusts of our Board of Education and sided with its superintendent during trying times. These civic leaders know what the real score is.

Rule 2 The Business of the Schools is Business. We all know that schools should educate children. That goes without saying. But that shouldn't prevent us from seeing some of the other crucial purposes of the system. In Chicago, for example, it subsidizes large, important corporations like Inland Steel by leasing them valuable downtown land owned by the Board of Education — and at a considerable savings to the corporations. The school system provides jobs for contractors, tradesmen and other union craftsmen who earn handsome wages while maintaining some 600 school buildings. It supports thousands of teachers, administrators, planners, specialists and consultants. It also subsidizes great numbers of former principals and teachers, some of whom, frankly, are no longer able to function in the schools, while others are unfortunate victims of community misunderstanding and have to be removed from their posts. It enables the Chicago Teachers' Union to exercise its talents on behalf of its members. It is a vital support for food suppliers, vendors and other purveyors of service who deal in large quantities. And the system is a major customer of the big banks which make regular loans to the Board for its many worthy purposes.

No one, therefore, should be surprised that Board of Education members, all appointed by the mayor, have traditionally included leaders from the institutions of society most concerned. For many years the Board's president was Frank Whiston, one of our most powerful real estate barons, and the vice president was Thomas Murray, the city's ranking labor official.

Today, education is a business which is in serious financial trouble. That is why we must not become too obsessed with learning and social justice as we pursue our objective of improving the business and labor climate in the cities.

Rule 3 Support Your Local Realtors. Realtors are your most important ally, and while they need your help, you simply cannot survive without theirs. If, for example, a maverick realtor starts selling to outsiders in an all-white attendance area, it will upset people, possibly cause panic selling, and throw off classroom balance in the local schools before you are prepared to deal with it. In our city such a realtor will be reminded as forcefully as possible of the ancient policy passed in 1917 by the Chicago Real Estate Board: "Inasmuch as more territory must be provided for Negro residents, it is desired in the interest of all that each block shall be filled solidly (with Negroes) and that further expansion shall be confined to contiguous blocks and that the method of obtaining a single building in scattered blocks be discontinued."

Now while that's direct and to the point, it's also been declared illegal. Not to worry. Truly dedicated realtors understand the real needs of their customers and can overcome irksome legal barriers. Hence, the geographic spread of black (and more recently, Hispanic) families proceeds to this day in an orderly, controlled fashion. Although realtors and school officials may appear to be pursuing totally different vocations, their goals are highly compatible and their efforts to preserve the neighborhoods complement each other beautifully.

It's important to remember that school officials, inasmuch as they are tax-supported creatures, are more vulnerable to criticism for deliberately creating segregated schools. Almost anyone, for example, can look at an all-white school in a racially changing neighborhood and figure out why the attendance boundaries were just "readjusted."

It is helpful in such a case to let the real estate people take the initiatives and responsibility. They aren't public servants and are accustomed to criticism anyway. In Chicago, at least, their commitment to preserving economic stability through controlled segregation is pure enough to make them thick-skinned in the face of mindless attacks from civil libertarians and other do-gooders.

Rule 4 Keep the Minority Community Divided. Minorities, of course, are unhappy with the present system and they do a good deal of whining. They complain that all-black schools tend to be inferior in every respect: more crowded, more poorly maintained, less efficiently run, and less likely to educate or motivate than white schools. They even cite figures that suggest that the average kid in a predominantly black school in Chicago is two years or more behind the student in an all-white school and that 41 percent of the black 17-year-olds in the city are functionally illiterate. They act as though someone conspired to make things this way instead of realizing that things are tough all over; and many blacks especially tend to brood over these things to the point of

becoming even paranoid.

We in Chicago believe minority complaints should not be taken lightly, but they should not cause undue panic either.

Often, trouble can be averted with occasional favors, choice appointments to their leaders, and summit conferences in times of trouble. An important black politician like Chicago's Big Bill Dawson, who controlled a lot of jobs and knew where his authority came from, could single-handedly extinguish brush fires of discontent. So could Ralph Metcalfe before he started reading his own press clippings.

Our biggest crisis occurred in the mid-1960s when the venerable Benjamin Willis, a man of unusual nerve and decisiveness, was the school superintendent. It was a time when Dr. Martin Luther King was arousing blacks all over the nation with his civil rights campaign. Unfortunately for us here, it was a time of heavy demand for black housing. Our friends in the realty business were being forced to expand the borders of black migration at a faster rate than they (or we) anticipated. Whole blocks on the south side were "turning" (as we sometimes put it)

Yet, after 19 years of such meddling and harassment we have managed to maintain the racial and ethnic purity of our schools . . . no mean achievement

almost overnight. To meet this demand, Dr. Willis perfected the use of the mobile school unit, a small, portable classroom which could be plunked down in the playground of a school and remain as long as needed. Dr. Willis, you see, was so firmly committed to the neighborhood concept that he spared no expense in establishing mobile units at black schools even while many classrooms in white schools were left empty. As a matter of fact, our own Board of Education did a study in 1964 which revealed there were 703 empty classrooms in the whole system. But Dr. Willis stood firm in his resolve, stifling the early specter of busing and other disruptive tactics.

Well, word of this got around and pretty soon the black people were calling our mobile classrooms "Willis Wagons" and claiming their whole purpose was to keep black and white children apart. We went through a major uproar with marches into white neighborhoods and boycotts. One year almost 250,000 children stayed home when the schools reopened. And it looked like blacks might grow more troublesome because Dr. Willis, true as ever to his neighborhood principles, courageously ordered the purchase of more mobiles.

Fortunately, we persuaded Bill Dawson to oppose the boycott and that defused the problem. Then we convinced the local NAACP to back off, and soon the whole controversy blew away. It wasn't even necessary to make any concessions. Our most effective argument was that black children, who are so far behind in education already, need all the schooling they can get and a boycott is, therefore, self-destructive. That argument, I should add, is still used by many of our most dedicated principals and veteran teachers with telling effect at parent-teacher meetings.

It is true, unfortunately, that persuasive promoters of integration like the Rev. Jesse Jackson, have stirred up trouble for us over the years. But our favors to more responsible leaders have helped us succeed in keeping blacks — and Latinos too — sufficiently satisfied and pacified that neither Jackson nor anyone else can maintain a level of popular indignation for very long.

Rule 5 Develop Treadmills. The preservation of neighborhood schools in Chicago has depended largely on a creative principle that might be called "the treadmill effect": do a lot of moving, but don't progress. Over and over we have been pressured by outside bureaucrats to move toward a single, thoroughly mixed school system. Yet, after 19 years of such meddling and harassment we have managed to maintain the racial and ethnic purity of our schools. That, I submit, is no mean achievement.

Consider a few examples. In 1961, Southside parents filed a federal suit, charging that we were gerrymandering local district boundaries to promote racial isolation. The case bounced around the courts and never came to trial after the Board of Education agreed to appoint an expert study commission. No one today recalls what it recommended, who was on it, or if it ever met. (Commissions, by the way, are classic treadmills. They burn immense amounts of time and energy, while insuring that nothing happens.)

In 1963, a local court ordered the Board to implement a voluntary high school transfer plan which would have disrupted several all-white schools. Dr. Willis said he could not in good conscience carry out that plan and prepared to resign. This news created such a ruckus, with everyone debating Willis' merits and demerits, that no one noticed when the transfer plan was quietly scrapped.

In 1965, the federal Department of Health, Education and Welfare actually froze $30 million in Chicago school funds because of a civil rights complaint. Mayor Richard J. Daley (God rest his soul) flew to Washington and met personally with President Lyndon Johnson. Not only was the money thawed out but the complaint was buried and the old readjustment of boundaries continued.

When the Illinois Board of Education ruled in 1976 that our city schools were nowhere near an acceptable level of integration, the Board of Education pondered for eight months before even agreeing to do anything. The state pressure continued and so a 39-member citywide advisory committee was empaneled. (Advisory committees are even better as treadmills than commissions are, of course, because they aren't even *supposed* to do anything but advise.) It spent eight more months developing a system-wide program which would have included much busing (yes, busing) and a mandatory backup provision if a voluntary program failed. It was blatantly ridiculous and unacceptable, so our superintendent, Joseph Hannon, waited four more months and then dissolved the advisory committee and shredded its plan.

Then Hannon, a suave man with Kennedy-like charisma, unveiled Access to Excellence, one of the grandest treadmills ever conceived. It sounded good since it involved in its first school year (1978-79) 47,000 children (almost 10 percent of the school system) in integrated programs without any busing or mandatory components.

The genius of the plan lay in its definitions of integration, which insured maintainence of the status quo. White classes were considered "integrated" if they just once visited an "academic interest center" such as the Art Institute, the Lincoln Park Zoo or Midway Airport at the same time that black students were present. Even more ambitious Access programs also avoided unnecessary mixing. In many cases white students who spent part of their day in a black school arrived at a different time, studied in separate classes and left by a separate exit. Impressed with Hannon's project, the state board relaxed and life returned to normal until HEW in early 1979 became upset again, rejected Access to Excellence, and threatened to take the Chicago Board of Education to trial at last.

The treadmill was becoming precarious at this point because HEW was headed by Patricia Harris, a black woman, and because the city was no longer under the guidance of Mayor Daley. So there was an understandable degree of alarm in late 1979 when Mrs. Harris sent the Chicago case to the Justice Department for prosecution.

Firmly entrenched at our Board of Education headquarters downtown is that great mass of planners, specialists and consultants known affectionately as 'the staff'

Not to worry. Our past experience and inertia got us off that hook. In September 1980, the Justice Department and the Board of Education agreed to a pact which requires Chicago school officials to develop a workable desegregation plan by next spring. Terms of the pact are vague and general and far less demanding, in fact, than the sort of tough talk coming from Mrs. Harris in 1979.

So it goes. With time, you too will discover that treadmills can be perfected to the point that a person who appears to be walking forward is actually moving backwards. It may be the only way to preserve the old values.

Rule 6 Keep Your Hand on the Wheel. It should be evident from the Chicago experience that pressure to upset a school system never lasts very long. Hence, decisive decision makers should push ahead with their plans, despite any talk about mandatory backups, the freezing of funds or federal lawsuits. For example, right now we are forging ahead with a wide variety of interesting projects. We recently opened two high schools very close to one another in the near north side, both of which will help preserve the historic racial differences of that community. Lincoln Park College Prep is geared for whites, while the Near North Career Magnet High School (conveniently located near the Cabrini-Green housing project) is accommodating blacks. Out on the west side, instead of erecting a large integrated high school for the whites, blacks and Hispanics living nearby, we have arranged for three small schools, one for each group. The Collins High School already houses blacks; the Juarez High School is occupied by Mexicans; and the brand new Richard J. Daley High will educate the white students.

We are living in especially tense times these days because our maverick mayor, Jane Byrne, has appointed a brand new school board, heavily loaded with radical integrationists who don't understand our principles, our history, and the economic benefits of the neighborhood concept. Mayor Byrne's naive appointments pose the danger that the majority of the Board of Education might be committed to sweeping, district-wide integration. Some of them seem to regard education as the schools' only purpose. Accordingly, there is fear about what sort of plan they will present to the Justice Department next spring.

Not to worry. These fears are unfounded. Firmly entrenched at our Board of Education headquarters downtown is that great mass of planners, specialists and consultants known affectionately as "the staff." It is we who will hold the fort. Many of us trace our educational philosophy back to Ben Willis. Some of us were actually hired by Dr. Ben, are safely working in key jobs in the heart of the bureaucracy, and have been true to the principles Ben stood for through the administrations of all his successors as superintendent.

To put it bluntly, it's not all that important what the city's new Board of Education wants or thinks it wants. We folks on the staff are the implementors. It is we who will check the population figures, make the projections, calculate the scores, and draw the maps. We haven't worked here this long for nothing. We're steeped in the principles I've shared with you here. We wrote them, in fact, and we'll never betray them.

I wish you well in your efforts.

Very truly yours,

Gerald Mander
Executive Associate Assistant
to the Assistant Associate Director,
Demographic Division
Chicago Board of Education

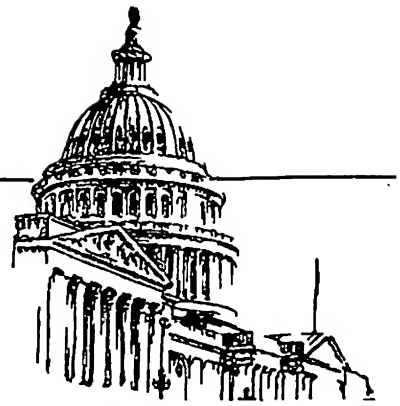
P.S. Here are a few cautions to add to the principles:

— Constantly speak of the dwindling percentage of white students. Do not use actual numbers since they can be misleading. In Chicago, for example, we have more white students today in our schools than there are total students in Boston or in most other cities.

— Do not be lulled into complacency by the apparent conservative drift in the nation. There are still enough rabid proponents of irresponsible integration around to make our task challenging for many years.

Finally, let us hear how you are doing. It may be that you have learned something about preserving our cherished institution, the neighborhood school, that we don't know about in Chicago. But I doubt it. ■

Desegregation under the new regime



Private groups will fill gap should Justice withdraw

By Nadine Cohodas

If some members of Congress have their way, the Justice Department will soon be out of the school desegregation business.

The House and Senate tried in 1980 to bar the department from bringing legal actions that could lead to court-ordered busing for desegregation, but President Carter's decision to veto the legislation prompted members to back down.

Busing foes—led by Republican Sens. Jesse Helms, N.C., and Strom Thurmond, S.C., and Rep. James M. Collins, R-Texas—promised to bring the issue back in the next Congress. And President Reagan says he would sign such a bill.

If the department eventually is barred from instigating school cases, the record suggests the move likely will have a significant impact on school desegregation efforts.

Since 1964, when the Justice Department was given authority to file desegregation suits, the latest government statistics show the department has been responsible for court-ordered desegregation in 544 of the 711 school districts under such orders. Most of those districts (661) are in 11 Southern states. Of those, 514 have been under court orders requiring student school reassignments as a result of Justice Department action.

Nationwide, a majority of the court orders in the last 16 years have required school busing to achieve desegregation.

Civil rights advocates have no trouble interpreting Congress's anti-busing actions.

"This is a signal to blacks and civil rights advocates that civil rights is not a priority," said Althea T. L. Simmons, head of the Washington office of the NAACP.

"The legislation is not only a move to cut back judicial efforts toward making school desegregation a reality, but this is on top of the passage in 1977 of [an] amendment to foreclose administrative remedies of the Department of Health, Education and Welfare (HEW)," she said.

In 1977, Congress passed a law preventing HEW from administratively requiring school busing as a condition of receiving federal aid. (HEW's education operations have now been transferred to the new Department of Education.)

Although the busing issue has elicited a generous helping of politicking and emotion in recent years, busing for desegregation accounts for a relatively small proportion of all students bused. According to the U.S. Civil Rights Commission, only 3.6 percent (about 780,000) of the children who ride buses to school are being bused for purposes of desegregation.

Further, statistics from the Department of Education's civil rights division, compiled in 1978, show that the 711 districts under court desegregation orders represent only 4.5 percent of the nation's 15,715 school districts, and not every one of those orders involves busing. Other court-ordered remedies to desegregate schools have included combining schools and redrawing school district lines.

Another 922 districts—5.9 percent—are under voluntary desegregation plans worked out with HEW or the Education Department.

New figures will be out in mid-1981, but officials expect few changes in the percentages.

"It just begs the question that nobody likes busing," said the NAACP's Simmons. "A child can ride a bus to a cultural event, can ride a bus to church. Wealthy white kids ride a bus to school. Busing is not an issue until children ride the bus for desegregation purposes."

"The net effect of the Justice Department withdrawal from the fray would simply mean that the NAACP would be more involved in filing such lawsuits," said Thomas Atkins, general counsel for the NAACP, which filed the landmark *Brown v. Board of Education* desegregation suit.

"The reality is that we would file lawsuits in every district in which we thought lawsuits should be filed," Atkins added.

James M. Nabrit, of the NAACP Legal Defense and Education Fund Inc., noted that private organizations such as his and the NAACP, rather than the Justice Dept., had been responsible for many of the major desegregation suits in the North.

Justice and Education Department statistics bear out Nabrit's assertion. Of the 50 school districts outside the South that are under court orders to desegregate, the Justice Department has been an active participant in 30. In several of those, the department officially joined the suit after a private litigant brought the legal action.

While Atkins and Nabrit appear confident that their organizations can fill the gap left by the Justice Dept., Washington lawyer Joseph L. Rauh Jr., a veteran civil rights activist, is not.

"I couldn't disagree more," he said. The NAACP and the Legal Defense Fund "don't have the investigative facilities nor the prestige of the U.S. government," Rauh said.

"With handcuffs on the government, millions of dollars will go to segregated schools," Rauh said.

John H. F. Shattuck, head of the Washington office of the American Civil Liberties Union, takes a similar view. "The Justice Department and the federal government are the central protectors of the rights of racial minorities, and should be," Shattuck said. "If they are not, that burden must fall on minorities themselves, and that is an extremely difficult burden." ■

Congressional Quarterly

POEMS

If I am Marcello Mastroianni, Can you be Lina Wertmuller? / *Haywood Jackson*

She lifts her white silk dress to blackness
and begins playing her violin, pizzicato.

I smile and chew on a very cheesy pizza,
but am at this early, pre-burgeoning point
disdainful: there are no mushrooms.

Her husband enters, walks deliberately over
to her. Fascisti. With little bundles
he wallops her upside the head. I laugh.
He turns smoothly to me and grins,
an actor, buffone, begging for applause.
Spaghetti dribbles from her red mouth.

She is crying for an Uncle Jack.
She wants him to come and take her off
to the seashore. Her words are hard
to understand, her voice the dry summer wind
coming through a colander,
giving me the sense and *feel* of mushrooms.

Now, *now* I show her the roundtrip tickets
to Capri; she is delirious, almost happy.
Her husband shouts, "buon viaggio"
through the copper collander. We go
quickly, to violins, gypsy music, scirocco,
our bare feet running in purple grapes
all the way from Pompeii.

On Capri, we lie in the wriggling sun
among the American couples
making waves.
An embarrassment in fresco.

* / *Simon Perchik*

I clam only the rim, its water
taken away—all the wishes in the world
have come together, wait
in a ring, its miracle
weeps through my pole: fuse
thinned to break
should a splash catch fire
and overload—I clam with a cane! lean
into the water's side
for the pearl taking shape, the wish
that lights only flares—I clam
for beacons! the fever
that will burn my hand
will glow: a beam
no sleep can break open
no wish can break loose.

The Numismatist / *Michael Paul Novak*

These are merely money. But take
This Morgan Dollar, not means
But end, a glow of desire
A piece to be placed with its sisters
To lodge in a harem of houris.
I haunt shops, circle auctions,
Push toward bidboards in search
Of that most brilliant beauty.

A child, I thumbed through penny
After penny, my fine touch smelled
Of money, my tongue tasted copper,
My circulation moved slow as metal.
An investment, my father said.
Right; at the end two coins to press
Down on by lids, one in my mouth
To pay the ferryman.

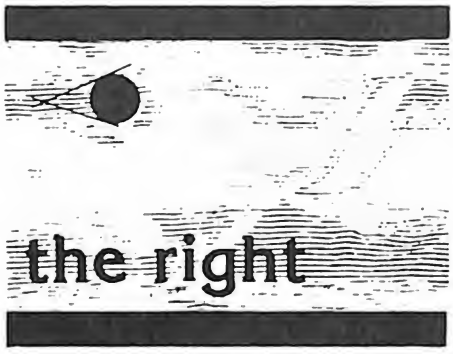
The Gang of Saints / *Shrule Ray*

Having failed at everything else,
they enter the rose strewn paths
of sanctity.
The infallible one,
on a chair hoisted by four men,
is carried from hospital to hospital.
He announces to the world
a fuckless marriage of thirty years
(his wife was a brahmacharini);
another tells the crowd he drinks
his urine each morning. God
is close to him.
And still another
has a vision at Jagannath Temple—
"By this sign you shall conquer."

In my cozy hometown
where nothing much happens,
nubile virgins from Hyderbad
come husband-hunting in teeny
weeny blouses. The bad girls
come from Europe or the USA
and stir things up. And the men . . .
well, boys will be boys.

An old beggar gets killed by a Vespa
and his body disappears without a trace.
But the IAS officer's son
is a friend of the police chief's son
who is close to the justice's son.
Brotherly love keeps them silent
when a poor women complains
she can't find her husband since
May.

Alcoholics and Rhesus monkeys are
the first to benefit from this new
state of grace, and the people,
delirious with penitence confer
upon them the title,
"Men of the Year'.



Joe McCarthy rides again?

By Nadine Cohodas

Six years ago, liberals said it was time to stop looking for alleged subversives under every rock. So, the Senate Judiciary Committee's Internal Security Subcommittee was abolished.

But times have changed and the new Republican majority on the Senate Judiciary Committee sees matters differently. On Dec. 5, GOP members of the panel met and decided to reactivate the subcommittee for the 97th Congress.

Its new title will be the Security and Terrorism Subcommittee, and its chairman will be incoming GOP Sen. Jeremiah Denton of Alabama, a former Vietnam prisoner of war. The panel's jurisdiction will include terrorism and espionage investigations, plus supervision of the FBI.

Although creation of the panel must be approved formally by the Senate Rules Committee, approval is a near certainty since Republicans will control the Senate in 1981.

Republican Orrin G. Hatch of Utah, who is slated to be one of the subcommittee's members, said a reactivated panel is needed because "the stage is set for a lot of dissident groups from the left and right" to conduct terrorist activities. The United States, Hatch added "has been unprotected way too long from such activities."

But some Democrats, led by Joseph R. Biden Jr., Del., who is the ranking Democrat on the full Judiciary Committee, are unhappy with the proposal. "I don't see any need for the subcommittee. It appears to me to be unnecessary, but I'll listen to the arguments," Biden said.

In addition, moderate Republican Charles McC. Mathias Jr., Md., another Judiciary Committee member, said he also opposed revival of the sub-committee.

The old Subcommittee on Internal Security was created in 1951 in the midst of the Cold War era. Known informally as "SIS," it was chaired first by Democrat Pat McCarran, then by Indiana Republican William E. Jenner, and finally by Democrat James O. Eastland, from Mississippi, who also chaired the full Judiciary Committee.

In its 15 years of existence, the subcommittee conducted an investigation of the Institute of Pacific Relations in 1951 which turned into a

probe of U.S. foreign policy in the Far East, a 1953-55 investigation of subversion in government and a 1960-61 probe of communist influence in the Caribbean and Latin America.

Other probes included a 1960-61 investigation of the Committee for a Sane Nuclear Policy, during which noted scientist Linus Pauling was subpoenaed, a 1971 investigation on subversion in campus protests, a 1974 investigation entitled "Marijuana and Personal Security," and a 1976 probe of the Peoples Bicentennial, a group that had planned a counter-celebration to mark the nation's 200th birthday.

Although the subcommittee was fairly active, it did not achieve the public notoriety of the Senate Permanent Subcommittee on Investigations, an offspring of the Governmental Affairs Committee, nor the House Un-American Activities Committee (HUAC), which was abolished in 1975.

Under Sen. Joe McCarthy, the Permanent Investigations Subcommittee made continuous headlines from 1953-55 during its investigation of alleged communists in the Army.

The House panel, later rechristened the House Internal Security Committee, gained fame for its probe of alleged communists in the motion picture industry and for its 1948 investigation of State Department official Alger Hiss.

"SIS never did anything with quite the flair that HUAC did," said Esther Herst, of the National Committee Against Repressive Legislation—an organization that began as the National Committee to Abolish HUAC. "SIS never went on the road [to conduct hearings]."

When the House committee was abolished in 1975, the House Judiciary's Constitutional Rights Subcommittee was given jurisdiction over many of the matters previously handled by the committee.

Rep. John Ashbrook, who has tried since 1975 to establish a separate Judiciary subcommittee on internal security, said he considered the 1975 action abolishing HUAC "a ruse." He contended the House leadership never meant to have the Judiciary Committee take on investigations of terrorism or subversives.

"They did by the back door what they couldn't do through the front," he said.

Ashbrook said he is not optimistic about getting a new House subcommittee in the 97th Congress, despite changes in the House membership. "There have been five years of no interest," Ashbrook said.

Rep. Don Edwards of California, chairman of the Constitutional Rights Subcommittee, disagreed with Ashbrook. He argued that his panel has done its work through oversight of the FBI and hearings on selected topics including international terrorism.

"We've done a very thorough job," Edwards said. "We'll be ready to prove the work is being done and that a new subcommittee is not necessary." ■ *Congressional Quarterly*